

**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, CHENGALPATTU**

Present : Thiru.T.Chandrasekaran, M.L.,
Principal District and Sessions Judge,
Chengalpattu.

Date: Wednesday, the 12th day of August 2026.

Crl.M.P. No.2406 of 2026
(CNR No. TNCG01-004792-2026)

Arul Selvan, aged about 41 years, S/o.Natarajan,

.. Petitioner/Accused.

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
Nandhambakkam Police Station,
Cr. No.116 of 2026

.. Respondent/Complainant

U/s.24(1) of COTPA Act, 2003 r/w. Sec.123 of BNS, 2023

This petition for bail coming on this day for hearing before me, M/s.S.Chockalingam, the learned counsel is appearing for the petitioner/accused and of M/s.V.Krishnamoorthy, the learned Public Prosecutor is appearing for the respondent/complainant, upon hearing both sides and upon perusal of case records, this Court made the following

ORDER

This petition is filed U/s.483 of BNSS 2023, praying to enlarge the petitioner on bail.

2. The petitioner/accused has been charged for the alleged offences U/s.24(1) of COTPA Act, 2003 r/w. Sec.123 of BNS, 2023.

3. Notice given to the Public Prosecutor for the State and the reply received. Heard both sides; records perused.

4. The learned counsel for the petitioner would submit that the

petitioner has been falsely implicated in this case; he was arrested and remanded on 07.07.2026 and he is in judicial custody for the past 37 days; moreover, the petitioner is ready to abide by any conditions to be imposed upon him and he is ready to offer substantial sureties before the court, thereby prayed for enlargement on bail.

5. The learned Public Prosecutor, on the other hand, would submit that during patrolling, while the respondent police intercepted the petitioner, he was found in possession of 78 Kgs of tobacco products namely Hans, Vimal, Cool lip, V12 Jasva, and Swagat Gold, which were banned by the Government of Tamil Nadu. That apart, the petitioner is involved in two previous cases and prays for the dismissal of the petition. He would further added that the respondent police has initiated Tamil Nadu Act 14 of 1982 proposal against the petitioner, however, the same has been dropped.

6. Cursory perusal of records would reveal that the occurrence has taken place on 07.07.2026 and the accused is in judicial custody from the same day. Total number of custody exceeds 37 days, and substantial portion of investigation has been completed. Since the witnesses are the police officials, there is no possibility of tampering the witnesses. The accused has permanent residence at Ganapathy Street, paari nagar, Anagaputhur, hence, there is no possibility of flee from justice. Taking into consideration of the duration of custody, stage of investigation, nature of allegations made against the petitioner and the facts and circumstances of the case, this court is inclined to grant bail to the petitioner.

7. In the result, this petition is allowed; The petitioner/accused is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) before the Mediation Centre, Chengalpattu, and on such deposit,

the petitioner/accused is ordered to be released on bail on his execution of bond for Rs.10,000/- with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Alandur, with further conditions that;

1. The sureties shall affix his photographs and Left Thumb Impression (LTI) in the surety bond and the sureties shall produce any one of identity proof before the learned Magistrate to ensure his identity.
2. The petitioner/accused is directed to report before the respondent police station daily at 10.30 A.M. and 05.30 P.M. for 30 days;
3. The petitioner/accused shall not tamper the evidence either during investigation or trial;
4. The petitioner/accused shall not abscond either during investigation or trial;
5. If there is any breach of conditions, the Investigation Officer shall report to the learned Magistrate and the learned Magistrate shall take appropriate action as if the conditions have been imposed by the Magistrate himself/herself in accordance with the decision in ***AIR 2006 SC 100 - P.K. Shaji Vs State of Kerala.***

Pronounced by me in open Court, on this the 12th day of August 2026.

Principal District and Sessions Judge,
Chengalpattu.

To

The Judicial Magistrate No.I, Alandur.

The Inspector of Police, Nandhambakkam Police Station.

The Superintendent, Central Prison, Puzhal, Chennai.