

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

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

Date: Tuesday, the 21st day of July 2026.

Crl.M.P. No.2423 of 2026
(CNR No. TNCG01-004870-2026)

Yogesh Tiwari, aged 21 years,
S/o.Lakshmikant Tiwari,

.. Petitioner/Accused.

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
Chengalpattu Taluk Police Station,
Cr. No.466 of 2026

.. Respondent/Complainant

U/s.123 of BNS, 2023 r/w. Sec.21(1) of COTPA Act, 2003

This petition for bail coming on this day for hearing before me, M/s.V.Gopal, 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, seeking to enlarge the petitioner on bail.

2. The petitioner/accused has been charged for the alleged offences U/s.123 of BNS, 2023 r/w. Sec.21(1) of COTPA Act, 2003.

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 10.07.2026 and he is in judicial custody for the past 12 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 the petitioner is used to sell tobacco products in his shop and while the respondent police intercepted him, he was found in possession of tobacco products viz., Hans, Cool lip, Vimal, V1 tobacco, Swagat and Miraj, which were banned by the Government of Tamil Nadu and prays for the dismissal of the petition.

6. cursory perusal of records would go to show that the occurrence has taken place on 10.07.2026 and the accused is in judicial custody from the same day. Total number of custody exceeds 12 days. It is seen substantial portion of investigation has been completed. Since the witnesses are the police officials, no possibility of tampering the witnesses. 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.2,500/- (Rupees Two Thousands Five Hundreds 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 (out of which, one surety should be blood relatives) for a like sum to the satisfaction of the Judicial Magistrate No.II, Chengalpattu, with further conditions that;

1. The sureties shall affix their 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 their identity.
2. The petitioner/accused is directed to report before the respondent police station daily at 10.30 A.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 the open Court, on this the 21st day of July 2026.

Principal District and Sessions Judge,
Chengalpattu.

To
The Judicial Magistrate No.II, Chengalpattu.
The Inspector of Police, Chengalpattu Taluk Police Station.
The Superintendent, District Jail, Chengalpattu.