

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

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

Date: Thursday, the 23rd day of July 2026.

Crl.M.P. No.2486 of 2026
(CNR No. TNCG01-004949-2026)

Varadhan.M, aged 70 years, S/o.Nagappa Naikar,

.. Petitioner/Accused.

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
D-2, Chengalpattu Taluk Police Station,
Cr. No.477 of 2026
U/s.123 of BNS, 2023 r/w. Sec.24(1) of Cigarettes and Other
Tobacco Products Act, 2023

.. Respondent/Complainant

This petition for bail coming on this day for hearing before me, M/s.K.Prakash, 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 grant bail to the petitioner.

2. The petitioner/accused has been charged for the alleged offences U/s.123 of BNS, 2023 r/w. Sec.24(1) of Cigarettes and Other Tobacco Products Act, 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 15.07.2026 and he is in judicial custody for the past 9 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 tea shop, while the respondent police made a search in his shop, he was found in possession of 4 bundles of Hans, which the tobacco product was banned by the Government of Tamil Nadu and prays for the dismissal of the petition.

6. Cursory perusal of records would reveal that the occurrence has taken place on 15.07.2026 and the accused is in judicial custody for the past 9 days. It is seen substantial portion of investigation has been completed. The petitioner seemed to be the first offender, no previous case is pending against him. Since the witnesses are the police officials, there is no possibility of tampering the witnesses. Considering the duration of custody, nature of allegations levelled against the petitioner, the age of the petitioner and also considering the overall 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 Thousand Five hundred 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.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 23rd day of July 2026.

Principal District and Sessions Judge,
Chengalpattu.

To

The Judicial Magistrate No.II, Chengalpattu.

The Inspector of Police, D-2, Chengalpattu Taluk Police Station.

The Superintendent, District Jail, Chengalpattu.