

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,  
MAYILADUTHURAI.**

Present: Dr. L.S. Sathiyamurthy, M.A., M.L., Ph.D.,  
District and Sessions Judge, Mayiladuthurai.

State of Tamil Nadu.

Wednesday, this the 18<sup>th</sup> day of March 2026.

**Crl.M.P. No. 365/2026**

Arasu, S/o. Chinnathurai

... Petitioner/Accused.

**Vs.**

State through the Inspector of Police,  
Manalmedu PS in Cr. No. 113/2026

... Respondent/Complainant.

U/s. 123 of BNS & 6 r/w 24(1) of The Cigarettes and other Tobacco products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act 2003.

This petition came up today for the hearing in the presence of Thiru. R. Sekar, Advocate for the Petitioner and Thiru. A. Aruna on Public Prosecutor for the State and after careful consideration of the materials available on record and the submissions made on behalf of the parties, this court passed the following:

**ORDER**

1. This is a petition filed U/s. 482 of BNSS, 2023.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. The learned counsel for the petitioner/Accused submitted that the respondent police has registered a case against the petitioner for the offence U/s. 123 of BNS & 6 r/w 24(1) of The Cigarettes and other Tobacco products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act 2003. The alleged occurrence is said to have taken place from 07.03.2026. The petitioner is innocent and he did not commit any offences as alleged by the prosecution. The *defacto complainant* has given false complaint against the petitioner. The petitioner apprehend arrest at the hands of police and he is ready to abide by any conditions that would be imposed by this court and prayed for grant of anticipatory bail to the petitioner.

4. The learned Public Prosecutor submitted that the defacto- complainant is the Inspector of Police, Manalmedu P.S. The respondent police has arrested the petitioner for having possession of 30 pockets of HANS CHAAP TOBACCO (totally 600 grms.) with intention to sell. Hence, the case. The Case properties were sent for chemical analysis. Selling of Tobacco products is a social menace. There are 10 previous cases registered against the petitioner. Investigation is pending and objected to grant bail to the petitioner.

5. This court carefully considered the submission made by either side. The petitioner against whom a case was registered U/s. 123 of BNS & 6 r/w 24(1) of The Cigarettes and other Tobacco products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act 2003 has filed this petition for pre arrest bail. The FIR would go to show that the petitioner is running a grocery shop and the banned Tobacco items of 30 packets weighing about 600 grams was recovered from his shop. The records would go to show that there are 10 previous cases pending against this petitioner, if there are previous cases under same provision of law. It is not appropriate to grant pre arrest bail to the petitioner. Therefore, this petition deserves dismissal.

In the result, this petition is dismissed.

Pronounced by me in the Open Court on the 18<sup>th</sup> day of March, 2026.

District and Sessions Judge,  
Mayiladuthurai.

**Copy to**

1. The Judicial Magistrate No. 1, Mayiladuthurai.
2. The Inspector of Police, Manalmedu P.S
3. The Petitioner through his counsel.