

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR, STATE OF TAMILNADU.

Present: Thiru.V.Padmanabhan, M.A., M.L., D.H.,
Principal District and Sessions Judge.

Friday, this the 13th day of March, 2026

CrI.M.P.No.273/2026
(CNR No.TNPB01-000441-2026)

Panneerselvam, 38/26,
S/o.Subramani.

... Petitioner/Accused.

-vs-

State Rep. By,
the Sub-Inspector of Police,
V.Kalathur Police Station,
in Cr. No.33/2026.

... Respondent/Complainant.

Petition through e-filed dated 07.03.2026 U/s.483 of BNSS Act seeking bail for the petitioner/accused.

This petition coming on this day before me for order in the presence of Thiru.M.Rajkumar, Advocate for the petitioner and the Public Prosecutor for the State and upon hearing both sides, this Court has delivered the following...

ORDER

The petitioner/accused seeks bail for the alleged offences U/S.24(1) of COTPA Act @ 24(1) of COTPA Act r/w 123 of BNS..

2. The prosecution case is that on 16.02.2026, at about 18 hours, in the scene of occurrence, the accused was found in possession of Hans 750 pockets (15kgms), Vimal 1500 Pockets (3.750 kgms) and V1 50 pockets (500 gms) prohibited tobacco products.

3. The learned Counsel appearing for the petitioner/accused would submit that the petitioner is in judicial custody from 20.02.2026; that the petitioner did not involve in this case incident as alleged by prosecution; that

case property was recovered; that nobody is hospitalized; it is a 2nd application; that if he is released on bail he will abide the conditions of this Court and that he may be released on bail.

4. On the other hand, the learned Public Prosecutor contented that the accused was in possession of 750 pockets of Hans (15kgms), 1500 Pockets of Vimal (3.750 kgms) and 50 pockets of V1 (500 gms) are prohibited tobacco products; that case property was recovered from him; he already involved in 3 previous cases incidents; that investigation is pending; that if he is released on bail, he will commit the similar offence again and he will abscond to other state and that the petition may be dismissed.

5. Upon hearing both side arguments and as per FIR averments, it is seen that the petitioner is allegedly found in possession of 19.250 kgms of prohibited tobacco products and the same were recovered. The petitioner is in judicial custody for the past 22 days.

Even though earlier bail application was dismissed for the reasons, prevailing at that circumstances, now as a change of circumstances, considering the remand period, during the remand period, there is a possibility of completion of substantial portion of investigation and in the interest of justice, this Court is inclined to grant bail to the petitioner on the following conditions:

(i) the petitioner/accused is ordered to be released on bail on executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** for a like sum, to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Veppanthattai;**

(ii) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(iii) the petitioner/accused shall appear and sign before the **respondent police daily at 10.00 a.m for 3 weeks;**

(iv) the petitioner/accused shall not tamper with evidence or witness either during investigation or trial.

(v) the petitioner/accused shall not abscond either during investigation or trial.

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

(vii) If the accused thereafter absconds, a fresh FIR can be registered U/S.269 of BNS.

Pronounced by me in open Court, this the 13th day of March, 2026

Principal District and Sessions Judge,
Perambalur.