

**IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, PUDUKKOTTAI****PRESENT : Thiru.K.Poorana Jeya Anand, M.A., M.L.,****Principal Sessions Judge, Pudukkottai.****Saturday the 07<sup>th</sup> day of March, 2026**

Criminal Miscellaneous Petition No:687/2026

{CNR No.TNPD01-0012422025}

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Subramaniyan, S/o.Kasi.

.....Petitioner/Accused

/Versus/

State of Tamil Nadu represented by Inspector of Police,

Alangudi Police Station,

Cr.No.34/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru. G.Alagesan Learned Advocate appearing for the Petitioner and the Learned Public Prosecutor Thiru.B.Venkatesan, on behalf of the Complainant and this Court passed the following,

**ORDER**

This petition is filed by the petitioner u/s 483 of Bharatiya Nagarik Suraksha Sanhita(BNSS)- 2023, praying for bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioner submits that the petitioner is being charged for the offences u/s 123 of BNS r/w 21(a), 22(b) of NDPS Act in Cr.No.34/2026 of Alangudi Police Station and he has not committed any offences as alleged and he has been falsely implicated in this case. He further submits that the petitioner is in judicial custody from 13.02.2026 and also ready to abide any other condition and hence, he seeks bail for the petitioner.

Per contra, the Learned Public Prosecutor represents that on 13.02.2026, the accused persons including this petitioner was found in possession of Tapendatol 100 mg tablets, and syringe and Hans Pockets that the accused was in habits of selling the said tobacco products to others to enrich themselves and investigation is not yet completed and the petitioner has 15 previous cases and hence, he strongly opposed to release the petitioner on bail.

**With regard to bail**, this court relied upon a case law reported in AIR 1978 SC. 179 rendering by our Hon'ble Supreme Court of India in a case of

“GURCHARAN SINGH Vs. STATE, wherein it has been held as follows:-

**“We may repeat the two paramount considerations, viz. likelihood of the accused fleeing from justice and his tampering with prosecution evidence relate to ensuring a fair trial of the case in a court of justice. It is essential that due and proper weight should be bestowed on these two factors apart from others. There cannot be an inexorable formula in the matter of granting bail. The facts and circumstances of each case will govern the exercise of judicial discretion in granting or cancelling bail.”**

Rival submissions are taken into consideration. Records perused. on 13.02.2026, the accused persons including this petitioner was found in possession of Tapendatol 100 mg tablets, and syringe and Hans Pockets that the accused was in habits of selling the said tobacco products to others to enrich themselves and investigation is not yet completed and the petitioner has 15 previous cases. Strong objection was raised on the side of the prosecution. By considering the above aspects, other facts and circumstances of the case, nature of the offence, the circumstances under which, the offence was committed and in view of the decision cited supra and strong objections raised on the side of the prosecution, this Court is not inclined to grant bail in favour of the petitioner at this stage.

In the result, this Bail Petition is dismissed.

Pronounced by me in Open Court, this the 07<sup>th</sup> day of March 2026.

**Principal Sessions Judge,  
Pudukkottai.**

**Copy to:**

The Counsel for the petitioner.