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Crl.M.P.No.1710 of 2026
Ammamet Police Station
Crime No : 194 of 2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, SALEM.

Present : Thiru. Swarnam J. Natarajan, M.L.,

Principal Sessions Judge, Salem.

Monday, this the 13th day of July - 2026

Crl.M.P.No.1710/2026

CNR.No.TNSA01-003507-2026

Mohammed Sulaiman (24),
S/o Abdul Majith

... Petitioner/Accused.

Vs.

The State rep. by
The Inspector of Police,
Ammamet Police Station.
(Cr.No.194/2026)

... Respondent / Complainant

This petition is coming on this day for final hearing before me in the presence of Thiru.G.Mohan, Advocate for the petitioner and the respondent/police concerned, after perusing the written reply submitted by the respondent and records, this Court delivers the following ...

ORDER

1. It is brought to the notice of this court that the tenure of the erstwhile Public Prosecutor for the district Salem has come to an end with effect from 30.06.2026 by the order of the Additional Chief Secretary, Home Department, Government of Tamil Nadu, and the Public Prosecutor has been relieved from his service. Since then, no Public Prosecutor has been so far appointed to

13.07.2026

Principal Sessions Judge, Salem.



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represent the state before this court, due to the office of the Public Prosecutor remains vacant.

Several urgent bail applications are awaiting consideration before this court, and the same were adjourned for want of representation on behalf of the State. Though the investigating officers concerned have filed their detailed written objections and other relevant materials, the matter could not be effectively heard for want of representation on behalf of the state through the newly appointed Public Prosecutor.

The Hon'ble Supreme Court in the recent judgment had given directions that the bail applications when filed should be disposed of within a period of 15 days, as the right to seek for bail shall be considered within a reasonable time as the same forms part of an integral constitutional guarantee of personal liberty under Article 21 of the Constitution of India. The criminal justice administration cannot remain in abeyance solely on account of an administrative vacancy to the office of the Public Prosecutor. The investigating officer has already placed on record his written objections, setting out the factual circumstances, the stage of the investigation, the respondent's objection, the same substantially reflects the stand of the respondent, and the same would be sufficient assistance for the court to undertake judicial scrutiny of the request for the bail.



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Due to the above reasons, this court proceeds to consider the bail application on its own merits after careful examination of the pleadings, the written objections filed on behalf of the investigating officer.

2. The petitioner, who is in judicial custody for the offence punishable under Section(s) 77 JJ Act and sec.6(a), 24(1) of COTPA Act in Crime No. 194 of 2026 on the file of the Ammapet Police Station since 13.06.2026, seeks his release on bail under Section 483 B.N.S.S.

3. According to the petitioner, he has not committed any offence and has been falsely implicated in this case. The allegations levelled against the accused is that on 13.06.2026 at about 14.00 hrs., near Ammapet Kumaragiri Lake, the petitioner was found in possession of 302 kg of banned tobacco products in a car bearing registration No.TN 73 C 3404 for selling purpose to children and others. The petitioner has given an undertaking that he would never abscond nor tamper or hamper the witnesses and ready to abide by any condition imposed by the Court and willing to produce sufficient solvent sureties to the satisfaction of the Judicial Magistrate. The petitioner is in judicial custody for the past 24 days. Hence, the petitioner pray for considering her bail application.

4. The respondent filed his detailed objections in writing stating that the quantity of banned tobacco products involved in the case is huge, the petitioner



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has already involved in yet another 02 cases and the investigation is pending. In the event, if the petitioner is released on bail, he would abscond and may not appear before the court by abiding the condition and he would indulge in similar offences.

5. This Court has considered the rival submissions and perused the materials available on record.

6. The petitioner was found to be in possession of 302 kilograms of banned tobacco items and he is already involved in two previous offences of similar nature. Considering the above serious objections raised by the respondent, this Court is not inclined to consider the bail application of the petitioner.

In the result, this petition is dismissed.

Typed by Steno-Typist, corrected and signed on 13th day of July – 2026.

**Principal Sessions Judge,
Salem.**

Copy to :-

1. The Judicial Magistrate No.V, Salem.
2. The Inspector of Police, Ammapet Police Station.
3. Counsel for the petitioner.

13.07.2026

Principal Sessions Judge, Salem.