

In the court of the Principal Sessions Judge, Tiruppur

Present: Thiru. N.Gunasekaran, M.B.A., B.L.,
Principal Sessions Judge, Tiruppur.

Friday, the 06th day of March, 2026

Cr.M.P. No.484 / 2026 (CNR No.TNTI18 001053 2026)

Bijith K.E, aged 37 years

S/o.Kunhikrishnan

...

Petitioner / Accused

.Vs.

State of Tamilnadu Represented by

The Inspector of Police,

North Police Station,

Tiruppur City. (Cr.No.201/2026) ..

Respondent/Complainant

This petition came for hearing on this day in the presence of Thiru.M.Mohanraj, Advocate for the petitioner and Thiru.S.Kanagasabapathy, Public Prosecutor for the State / respondent and upon hearing both side and upon perusing the documents, this court delivered the following;

ORDER

The Petitioner has filed the application U/s.483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail for the offence U/s.123 of BNS and Section 22(a) of COTPA Act r/w. Section 59 of Food Safety and Standards Act, 2006 in Crime No.201/2026 of the respondent police.

First Information Report is pending against the petitioner U/s.123 of BNS and Section 22(a) of COTPA Act r/w. Section 59 of Food Safety and Standards Act, 2006. The alleged date of occurrence is on 26.02.2026 and the First Information Report was registered and the petitioner was arrested

Dated:06.03.2026

Principal Sessions Court, Tiruppur

and remanded to judicial custody on the very same day and he is in incarceration for **past 8 days**.

The learned Counsel appearing for the petitioner would contend that the petitioner is innocent and has not committed any offence as alleged by the prosecution.

In contra, the learned Public Prosecutor would raise objection through a report of concern police by stating that the petitioner alleged to have been in illegal possession of 9 Kgs of banned tobacco products in order to sell the same to public at large to make an unlawful gain through illegal means and hence, sought to dismiss the application.

Both side heard. Records perused. The alleged date of occurrence is on 26.02.2026 and the First Information Report was registered and the petitioner was arrested and remanded to judicial custody on the very same day and he is in incarceration for **past 8 days**. The learned counsel appearing for the petitioner would contend that the wife of the petitioner is admitted in the hospital due to labour pain and hence, sought to consider the same in enlarging the petitioner on bail. There is no serious objection from the prosecution side to deny the same. As per the report of concern police, no other previous case of similar nature is pending against him. The learned counsel appearing for petitioner would also concede for cash deposit in the event of enlarging the petitioner on bail.

By considering the facts and circumstances, nature and gravity of the offence and the duration of incarceration, this court **is inclined** to enlarge the petitioner on bail on following condition.

In the result, the petitioner/accused is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand

only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Tiruppur** and on further condition that the petitioner shall make a non-refundable deposit of **Rs.5,000/-** to the credit of the “**District Legal Services Authority, Tiruppur**” and on further condition that;

1) the petitioner should appear and sign before the respondent police daily at 10.00 a.m. until further orders.

2) the petitioner shall not tamper the evidence or witness either during investigation or trial,

3) the petitioner shall not abscond either during investigation or trial,

4) 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 it as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560], and

5) If the accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Accordingly, this petition is **allowed**.

Dictated to the steno-typist, typed by her, corrected and pronounced by me and uploaded in Case Information System on this 06th day of March, 2026.

Principal Sessions Judge,
Tiruppur.

Copy to:

1. The Judicial Magistrate No.I, Tiruppur
2. The Public Prosecutor, Tiruppur.
3. The Inspector of Police, North Police Station, Tiruppur

4. The counsel for the petitioner.
5. The Secretary, District Legal Services Authority, Tiruppur
(through e-mail).
6. The Superintendent, Central Prison, Coimbatore (through e-mail)
(As per the Circular of Hon'ble High Court of Madras in
R.O.C.No.16380-A/2025/F1, P.Dis.No.53/2025, dated:25.04.2025).