

**In the court of the Principal Sessions Judge, Tiruppur**

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

**Monday, the 09<sup>th</sup> day of March, 2026**

**Cr.M.P. No.491 / 2026 (CNR No.TNTI18 001081 2026)**

1. Noushad, aged 49 years  
S/o.Hameed

2. Shijo, aged 27 years  
S/o.Joseph

... Petitioners / Accused

.Vs.

State of Tamilnadu Represented by  
The Inspector of Police,  
North Police Station,  
Tiruppur City.  
(Cr.No.188/2026)

... Respondent/Complainant

This petition came for hearing on this day in the presence of Thiru.M.Palaniselvam, Counsel for the petitioners 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 Petitioners have 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 Cigarette and other Tobacco Products Act, 2003 in Cr.No.188/2026 of the respondent police.

Dated:09.03.2026

Principal Sessions Judge, Tiruppur

First Information Report is pending against the petitioner u/s.123 of BNS and Section 22(a) of Cigarette and other Tobacco Products Act, 2003. The alleged date of occurrence on 21.02.2026 and First Information Report was registered and the petitioners were arrested and remanded to judicial custody on the very same day and they are in incarceration for **past 16 days.**

The learned Counsel appearing for the petitioners would contend that the petitioners are innocent and have 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 petitioners along with co-accused alleged to have been in illegal possession of 40 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 on 21.02.2026 and First Information Report was registered and the petitioners were arrested and remanded to judicial custody on the very same day and they are in incarceration for **past 16 days.** The petitioners are arrayed as A1 and A2 in this case and as per the report of concern police, the investigation is in progress. Admittedly, the application seeking anticipatory bail by the co-accused viz. A3 was dismissed by the Hon'ble High Court of Madras vide order in CrI.O.P.No.5761/2026; dated: 05.03.2026 and there is no change in circumstances in between the order of dismissal of anticipatory bail sought by the co-accused by the Hon'ble High Court of Madras and the petition under order.

By considering the facts and circumstances, nature and gravity of the offence, stage of investigation, dismissal of anticipatory bail sought by the co-accused by the Hon'ble High Court of Madras and the quantity of banned tobacco products involved in the offence, this court **is not inclined** to enlarge the petitioners on bail.

In the result, this petition **is dismissed**.

Dictated to the steno-typist, typed by her, corrected and pronounced by me and uploaded in Case Information System on this 09<sup>th</sup> 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).