

In the court of the Principal Sessions Judge, Tiruppur

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

Saturday, the 6th day of June, 2026

Cr.M.P. No.1041 / 2026 (CNR No.TNTI18 002243 2026)

1. Kesavan, aged 31 years
S/o. Arumugam
 2. Baskaran, aged 26 years
S/o.Rajamanickam
- ... Petitioners / Accused

.Vs.

State of Tamilnadu Represented by
The Inspector of Police,
Veerapandi Police Station,
Tiruppur.

(Cr.No.201/2026) ... Respondent/Complainant

This petition came for hearing on this day in the presence of Thiru.M.Palaniselvam, Counsel for the petitioners appeared through video conference and Miss.K.Bowshiya, Counsel acting under the direction of Public Prosecutor on behalf of prosecution and on perusing the Reply submitted by the Respondent and the Records, this Court delivers 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.201/2026 of the respondent police.

Dated:06.06.2026

Principal Sessions Judge, Tiruppur

First Information Report is pending against the petitioners u/s.123 of BNS and Section 22(a) of Cigarette and Other Tobacco Products Act, 2003. The alleged date of occurrence on 22.05.2026 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 15 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 Counsel acting under the direction of Public Prosecutor on behalf of prosecution would raise objection through a report of concern police by stating that the petitioners collectively alleged to have been in illegal possession of 12.088 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 22.05.2026 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 15 days**. As per the report of concern police, no other previous case of similar nature is pending against the petitioners. Major portion of the investigation might have been completed by considering the date of occurrence and the First Information Report. The learned counsel appearing for petitioners would also concede for cash deposit in the event of enlarging the petitioners on bail.

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

In the result, the petitioners/accused are ordered to be released on bail on their 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.IV, Tiruppur** and on further condition that the petitioners shall make a non-refundable deposit of **Rs.5,000/- each** to the credit of the **District Legal Services Authority, Tiruppur** and on further condition that;

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

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

3) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by it as laid down by the Honble 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 June, 2026.

Principal Sessions Judge,
Tiruppur.

Copy to:

1. The Judicial Magistrate IV, Tiruppur
2. The Public Prosecutor, Tiruppur.
3. The Inspector of Police, Veerapandi Police Station, Tiruppur
4. Counsel for the Petitioners.
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).