

**In the Court of II Additional District and Sessions Judge,  
Thanjavur.,**

**Present:- Thiru. P.Nagarajan, M.A.,M.L.,  
II Additional District and Sessions Judge, Thanjavur.**

**Thursday, the 12th day of March 2026  
Thiruvalluvar Andu-2057 Maasi Thingal 28th day**

**CrI.M.P.No.1767 of 2026, in S.C.No.5 of 2026**

**of Thanjavur Town East Police Station**

**[CNR No.TNTJ010022842026]**

State – represented by the Inspector of Police, Thanjavur Town West Police Station. (Cr.No.89 of 2023)	..Petitioner/Complainant
Vs.	
Ganesan 47/2023, S/o. Chinnappa	...Respondents/Accused

This Criminal Miscellaneous Petition has come up before me for final hearing on today (12.03.2026) in the presence of Thiru. Durai. Thiyagarajan, Additional Public Prosecutor for the Petitioner/Complainant and no representation for the respondents/accused and upon hearing the enquiry, this court passed the following:-

**ORDER**

The petitioner/defacto-complainant has come forward with this petition to destroy the properties of COTPA Act.

2) The petitioner/defacto-complainant submit that on 22.01.2023 the banned tobacco products were seized from the

accused for possessing 16 kg 300 grams of gutka tobacco, which was brought into Thanjavur Town for sale with the intention of endangering the lives of the public, without the proper permit or license, the accused was arrested on 22.01.2023 Thanjavur, Town West Police Station in Cr.No.89/2023 u/s.328 IPC sec. 5, 7(1), 7(2), 24(1) COTPA Act. the banned tobacco products were handed over to Thanjavur Town West Police as per the court order and now case properties were kept safely at the Town West Police Station.

Since the nature of the evidence in this case will change if it is kept at the police station and it will be damaged by natural disasters, it would be conducive to the investigation of the case if the above evidence is destroyed and a certificate is obtained and submitted to the court. Therefore, the petitioner requested that an order be issued to destroy the above properties. Since, the Hon'ble High Court of Madras has directed to destruct the above tobacco products. Hence, prayed to destroy the properties.

3) Heard. Records perused. The petitioner/defacto complainant filed this petition to destroy the properties of COTPA Act. Since the nature of the evidence in this case will

change if it is kept at the police station and it will be damaged by natural disasters, it would be conducive to the investigation of the case if the above evidence is destroyed and a certificate is obtained and submitted to the court. Therefore, the petitioner requested that an order be issued to destroy the above properties. The Hon'ble High Court of Madras has directed to destruct the above tobacco products, as per Circular in R.O.C.No.15488-A/2026/F1, dated 18.02.2026 of the Hon'ble High Court of Madras has directed to destruct the tobacco products.

4) Considering the above circumstances and facts, this court inclines to permit to destroy the case properties in N.C.P.No.1 of 2026 and ordered to be handed over to the Narcotic Drugs Destruction Committee for destruction.

Pronounced by me in the open court this **the 12th day of March 2026.**

**II Additional District & Sessions Judge,  
Thanjavur.**

Copy to:  
The Inspector of Police,  
Thanjavur West Police Station.

**Order in**

**Crl.M.P.No. 1767 of 2026**

**in S.C.No. 5 of 2026**

**Dated: 12.03.2026**