

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.  
PRESENT: Tmt. J.Tamilarasi, B.Com.,M.L.,  
Sessions Judge,  
(Special Courts in the cadre of District Judge for exclusive trial of cases under POCSO  
Act,Thanjavur /  
Principal Sessions Judge, Thanjavur (FAC)  
Monday the 1st day of June, 2026  
Criminal Miscellaneous Petition No.3265/2026  
{CNR No: TNTJ01-0045782026}  
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1. Pandiyan, S/o. Balaguru  
2. Vignesh, S/o.Nagendran,

....Petitioners/ A1 & A2

/ versus /

State of Tamil Nadu represented by Inspector of Police  
Thiruvaiyaru Police Station,  
Cr.No.164/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.M.Mugesh, Learned Advocate appearing for the petitioner and the Learned Public Prosecutor Thiru.S.Sathiamoorthy, on behalf of the complainant and this court passed the following,

#### ORDER

This petition is filed by the petitioners u/s 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying for bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioners submits that the petitioners are being charged for offences u/s 275, 123 of BNS r/w 7(1), 24(1) of Cigarette and other Tobacco Products Act of 2003 in Cr.No.164/2026 of Thiruvaiyaru Police Station and they have not committed any offences as alleged and they have been falsely implicated in this case. He further submits that the petitioners undertake that they would not involve this kind of offence or any kind of offences hereinafter and to that effect, the petitioners filed affidavits. He further submits that the petitioners are in judicial custody from 21.05.2026 and they are voluntarily willing to deposit any reasonable amount to any welfare measure as directed by this court and also ready to abide any other condition and hence, he seeks bail for the petitioners.

The case of the Prosecution is that on 21.05.2026, totally five accused persons including the petitioners herein / A1 & A2 were found in illegal possession of banned tobacco products such as Hans – 449.360 kgs., Coolip – 16.300 kgs., Vimal – 101.560

Kgs., and V1- 25.150 kgs., totally 592.370 kgs and sale amount Rs.10,000/-, 3 Nos. of cell phones and hay bale in a Bolero Pick up vehicle and thereby, the petitioners committed the offences alleged.

The Learned Public Prosecutor submits that the alleged large quantity of contraband, the offending vehicle, sale amount and cellphones have been seized and the 2<sup>nd</sup> petitioner has three more previous cases and 1<sup>st</sup> petitioner has no more previous case and the investigation is pending and hence, he opposed to enlarge the petitioners on bail.

Both sides' contentions are taken into consideration. There are totally five accused persons in this case. The petitioners are arrayed as A1 & A2. Admittedly, the petitioners filed their affidavits stating that they would not involve this kind of offence or any other kind of offences and they are under judicial custody from 21.05.2026. But, the petitioners were found in possession of 592.370 kgs of banned tobacco products. The occurrence took place on 21.05.2026. Only 11 days have been lapsed after the arrest of the petitioners and so, the investigation would not have been completed by this time. The 2<sup>nd</sup> petitioner has three more previous cases. The petitioners committed the offences alleged as against the welfare of the society. Strong objections have been raised on the side of the prosecution. By considering all these facts and circumstances of the case, grave nature of offences, quantity of the alleged contraband and strong objection raised on the side of the prosecution, this court is of the view that it is not desirable to release the petitioners on bail at this stage. Hence, this petition is dismissed.

Pronounced by me in Open Court, this the 1st day of June, 2026.

Principal Sessions Judge,  
Thanjavur.(FAC)

Copy to:  
The Counsel for the petitioner.