

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Monday, the 20th day of July, 2026

Crl.M.P.No:2663/2026

(CNR No. TNTR010056812026)

Gowtham, S/o Sundaram

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Vellavedu Police station
(Crime No: 154/2026)

.....Respondent/Complainant

Petition dated: 06.07.2026 u/s 483 of BNSS praying to enlarge the petitioner on bail

This petition was coming on 13.07.2026 day for hearing before me having the petition filed by the petitioners Counsel M/s R. Rajaprakash, J. Ananda Babu, P. Chandrasekar, J. Arul Iyappan, S. Sathishkumar, S. Senthamizh Selvi, and the State/ respondent police represented by Thiru.P.N. Udhayakumar, the Public Prosecutor, and upon hearing the arguments of both sides, perusing the reply of the Public Prosecutor for the State/Respondent and perusing the records and material and hearing both sides, this court made the following:-

ORDER

Heard arguments of both side. Records perused. Petition filed u/s 483 of BNSS seeking to release the petitioner who was remanded on 04.07.2026 in Crime No.154/2026 on the file of Vellavedu police station registered for the offence u/s 123 of BNS r/w 24(1) of COTPA Act

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only for statistical purpose, all the contrabands were already seized, no one is injured out of the contrabands, hence, the section of offence u/s 123 of BNS is not attracted, petitioner has no bad antecedents, he is in custody for the past 17 days, petitioner is ready to cooperate for investigation and will abide by any condition, therefore prayed for granting the bail.

Notice given to concerned police and reply received. The learned Public prosecutor argued that on 04.07.2026 at about 12.30 PM, based on the discreet information, when the Sub Inspector of Police, respondent police station along with police party was on surveillance near Thirumazhisai Thilagar Street, temple backside, , the petitioner was found in illegal possession of banned tobacco products totally worth about Rs.50000/- thus, he was arrested , contrabands were seized, and the investigation is pending.

The petitioner states in this petition that there is no similar bail petition is pending before any other Court including Hon'ble High Court, Madras and the respondent has also not stated as to pending of any bail petition before Hon'ble High Court, Madras in this case. Hence, this Court considers that there is no impediment to entertain this petition and pass orders on merits.

As per the reply of the learned Public Prosecutor, petitioner is a Local resident and first offender. Contrabands were already seized. It appears that substantial part of investigation is completed as the petitioner is in judicial custody for the past 17 days.

Therefore, on considering

- (i) Nature of offence
 - (ii) Long duration of custody of the petitioner for the 17 days
 - (iii) Contrabands were already seized,
 - (iv) it appears that substantial part of investigation is completed,
 - (v) that as per the representation of the learned Public Prosecutor, it appears that the petitioner is a local resident and first offender
 - (vi) the representation of the learned counsel for the petitioner that the petitioner being permanent resident will cooperate for investigation and will abide by any condition,
 - (vii) also considering other facts and circumstances,
- this Court is inclined to grant bail to the petitioner on imposing conditions.

In the result, bail is granted to the Petitioner on execution of a bond for a sum of Rs.10,000/- with two sureties for the like-sum each to the satisfaction of Judicial Magistrate No.II, Poonamallee and on condition that the petitioner to sign before the respondent police daily at 10.00 AM for 30 days. The sureties shall affix their photographs and shall produce Voter Card or Aadhar Card or Bank Pass Book in proof of their identification. Any violation of the conditions, the Judicial Magistrate is entitled to take action as per the Judgment of the Supreme Court in P.K. Shaji Vs. State of Kerala (*AIR 2005 SCW 5560*). If the petitioner absconds, a fresh FIR can be registered under Section 269 BNS.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 20th day of July, 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s R. Rajaprakash
Thiru.P.N. Udhayakumar, Public Prosecutor for the State
The Judicial Magistrate, No.II, Poonamallee
The Inspector of police, Vellavedu police Station
The Superintendent, Special Sub Jail, Poonamallee