



State of Tamilnadu  
In the Court of Sessions, Tenkasi Division  
Before the Principal Sessions Judge, Tenkasi.  
PRESENT: THIRU. B.RAJAVEL, B.SC.,B.L.,  
Principal Sessions Judge, Tenkasi  
Saturday the 07<sup>th</sup> day of March 2026  
**Cr.M.P.No. 761/2026**  
**CNR.No.TNTS010012232026**

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Murugan, S/o Ganesan

.. Petitioner/Accused

*Versus*

State: The Inspector of Police,  
Pavoorchatram P.S.  
Cr.No.95/2026

.. Respondent/Complainant

Petition dated 05.03.2026 U/s.483 BNSS to grant bail to the petitioner.

This petition is coming on this day for hearing before this court in the presence of Thiru.H.Siva Surya, Advocate for the Petitioner and Thiru.M.P.K.Maruthappan, Public Prosecutor for the Respondent/complainant and upon hearing both sides, this Court passed the following :

### **ORDER**

The Petitioner/accused was arrested and remanded to judicial custody on 23.02.2026 for the alleged offences punishable under sections 123 of BNS & 24(1) of CAOTP Act registered by the respondent police, seeks bail.

The learned Counsel for the petitioner/accused would submit that out of 2 accused persons, this petitioner being A1 in this case and this petitioner has been falsely implicated in this case and this purely put up case only and the properties were recovered and this petitioner has no previous cases and this petitioner is undergoing incarceration for the past 13 days and prays to grant bail to the petitioner subject to any conditions.

The learned Public Prosecutor would submit that totally 2 accused involved in this case and this petitioner being A1 in rank and the allegation against the accused persons is that they were in possession of 2.115 kgs of prohibited tobacco products worth about Rs.1,850/- and the same was recovered along with sales amount of Rs.5,000/- and the investigation is pending.

Heard. Records perused. The submissions of both sides were considered. Section 6 of CAOTP Act says “No person shall sell,offer for sale or permit sale of, cigarette or any other tobacco product to any person who is under eighteen years of age and in an area within a radius of one hundred yards of any educational institution”. Section 24(1) says “Any person who contravenes the provisions of section 6 shall be guilty of an offence under this Act and shall be punishable with fine which may extend to two hundred rupees”. Section 24(2) says All offences under this section shall be compoundable and shall be tried summarily. Section 27 says that “offence punishable under this Act shall beailable”. In this case the the respondent police registered this case based on the suo motto complainant Sub Inspector of police. The properties were recovered in the presence of police party. Considering the fact that this petitioner has no previous case and the properties were recovered along with sales amount and this petitioner is undergoing incarceration for the past 13 days and other facts and circumstances, this Court is inclined to grant bail to the petitioner/accused.

In the result this petition is allowed subject to following conditions.

- i) The petitioner is ordered to be enlarged on bail on executing his bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Tenkasi.
- ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the sureties shall produce a copy of their Aadhaar card or Solvency Certificate or Bank pass book to ensure their identity.
- iii) **The petitioner shall report and sign before the Respondent P.S daily once at 10.00 A.M for one month.**
- iv) **The Petitioner has to furnish his Mail ID and Phone number before the trial court at the time of executing bond.**
- v) **That the petitioner is directed to pay a sum of Rs.2,000/- to the “Government of Tamilnadu Chief Minister’s Public Relief Fund”**
- vi) The petitioner shall make available himself for interrogation as and when

required by the investigation Officer.

- vii) The petitioner shall not tamper the witness or hamper the evidence in any manner either during investigation or Trial.
- viii) The petitioner shall not abscond either during investigation or Trial.
- ix) That on breach of any of the aforesaid conditions, the Investigation Officer shall report to the learned Magistrate / Trial Court and shall take appropriate action against the petitioner in accordance with law.
- x) If the accused thereafter absconds, a fresh FIR can be registered U/S.269 BNS.

Pronounced in open court, this the 07<sup>th</sup> day of March 2026

PRINCIPAL SESSIONS JUDGE,  
TENKASI.

Copy to.

The Judicial Magistrate, Tenkasi.

The Inspector of Police, Pavorchatram P.S.

The Counsel for the Petitioner

The Public Prosecutor, Tenkasi.

The Superintendent, Central Prison, Palayamkottai.