



State of Tamilnadu
In the Court of Sessions, Tenkasi Division
Before the Principal Sessions Judge, Tenkasi.
PRESENT: THIRU. S.MANOJKUMAR, M.A.M.L.,
Additional Sessions Judge, Tenkasi
Principal Sessions Judge, Tenkasi (i/c)
(Authorized u/s 8(8) B.N.S.S.)
Wednesday the 18th day of March 2026
Cr.M.P.No. 881/2026 CNR.No.TNTS010014412026
Cr.M.P.No. 883/2026 CNR.No.TNTS010014512026

Cr.M.P.No. 881/2026

Manikandan, S/o Balamurugan

.. Petitioner/Accused

Cr.M.P.No. 883/2026

Lalitha, W/o Balamurugan

.. Petitioner/Accused

Versus

State: The Inspector of Police,
Kadayanallur P.S.
Cr.No.85/2026

.. Respondent/Complainant

Both of these Petitions dated 16.03.2026 U/s.483 BNSS to grant bail to the petitioners.

These petitions are coming on this day for hearing before this court in the presence of Thiru.S.Pasumpon Selvakumar, Advocate for the Petitioners in Cr.M.P.No.881/2026 & 883/2026 and Thiru.M.P.K.Maruthappan, Public Prosecutor for the Respondent/complainant and upon hearing both sides, this Court passed the following :

COMMON ORDER

Both of these petitions are one and same crime number. Hence this court pronounce the common order.

The Petitioners/accused in both the petitions were arrested and remanded to judicial custody on 11.03.2026 for the alleged offences punishable under sections 77 of JJ Act, 24(1), 6(b) of CAOTP Act registered by the respondent police, seeks bail.

The learned Counsel for the petitioners/accused would submit that totally two accused persons involved in this case and the petitioner in Cr.M.P.881/2026 being A1 and the petitioner in Cr.M.P.883/2026 being A2 in rank and these petitioners are son and mother and these petitioners have been falsely implicated in this case and this is purely put up case only and these petitioners have no previous case and these petitioners are undergoing incarceration for the past 8 days and prays to grant bail to the petitioners subject to any conditions.

The learned Public Prosecutor would submit that totally two accused persons involved in this case and the petitioner in Cr.M.P.881/2026 being A1 and the petitioner in Cr.M.P.883/2026 being A2 in rank and these petitioners are son and mother and the allegation against these petitioners is that they were in possession of 1.530 kgs of prohibited tobacco products worth about Rs.2,596/- and selling the same to the school student and the same was recovered and these petitioners have no previous cases 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 these petitioners have no previous case and the property was recovered and these petitioners are undergoing incarceration for the past 8 days and other facts and

circumstances, this Court is inclined to grant bail to the petitioners/ accused in both the petitions.

In the result these petitions in Cr.M.P.881/2026 and Cr.M.P.883/2026 are allowed subject to following conditions:-

- I) The petitioners are ordered to be enlarged on bail on executing their bond for Rs.10,000/- each (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) **That the petitioners shall report and sign before the Respondent P.S daily once at 10.00 A.M for one month.**
- iv) **The Petitioners have to furnish their Mail ID and Phone number before the trial court at the time of executing bond.**
That the petitioners are directed to pay a sum of Rs.2000/- each to the “Government of Tamilnadu Chief Minister’s Public Relief Fund”
- v) The petitioners shall make themselves available for interrogation as and when required by the investigation Officer.
- vi) The petitioners shall not tamper the witness or hamper the evidence in any manner either during investigation or trial.
- vii) The petitioners shall not abscond either during investigation or Trial.
- viii) 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 petitioners in accordance with law.
- ix) If the accused thereafter absconds, a fresh FIR can be registered U/S.269 BNS.

Pronounced in open court, this the 18th day of March 2026.

PRINCIPAL SESSIONS JUDGE (i/c),
TENKASI.

Copy to.
The Judicial Magistrate, Tenkasi.
The Inspector of Police, Kadayanallur P.S.
The Counsel for the Petitioners
The Public Prosecutor, Tenkasi.
The Superintendent, Central Prison, Palayamkottai.
The Superintendent, Women Prison, Kokkirakulam, Palayamkottai.