



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. 876/2026
CNR.No.TNTS010014572026

Marikani, W/o Vadivel

.. Petitioner/Accused

Versus

State: The Inspector of Police,
Uthumalai P.S.
Cr.No.62/2026

.. Respondent/Complainant

Petition dated 16.03.2026 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.K.Thangadurai, 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 12.03.2026 for the alleged offences punishable under sections 123 of BNS and section 24(1) of CAOTP Act registered by the respondent police, seeks bail.

The learned Counsel for the petitioner/accused would submit that this petitioner has been falsely implicated in this case and she is a lady who is running tea shop and this is purely put up case only and the property was recovered and this petitioner has no previous case and this petitioner is undergoing incarceration for the past 7 days and prays to grant bail to the petitioner subject to any conditions.

The learned Public Prosecutor would submit that this petitioner alone involved in this case and the allegation against this petitioner is that she was in possession of 1.628 kgs of prohibited cool lip tobacco products worth about Rs.840/- and the same was recovered along with sales amount of Rs.1,500/- and this petitioner has no previous case 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 be bailable”. 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 property was recovered along with sales amount of Rs.1,500/- and this petitioner is undergoing incarceration for the past 7 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, Alangulam.
- 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.1,000/- 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 18th day of March 2026.

PRINCIPAL SESSIONS JUDGE (i/c),
TENKASI.

Copy to.

The Judicial Magistrate, Alangulam.

The Inspector of Police, Uthumalai P.S.

The Counsel for the Petitioner

The Public Prosecutor, Tenkasi.

The Superintendent, Women Prison, Kokkirakulam, Palayamkottai.