



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THOOTHUKUDI

Present : Tmt.S.Subadevi, B.A.,B.L.,M.B.A.,

Principal Sessions Judge, Thoothukudi

Monday the 20th day of July 2026

Cr.M.P.No. 3710/2026

Balamurugan (41/2026),

...Petitioner / Accused No.1

S/o.Sankara Konar,

4A/1, Kundalakesi Street,

Kesavasamudram, Pathamadai,

Cheranmahadevi Taluk,

Tirunelveli District.

-Vs-

State : The Inspector of Police,

...Respondent / Complainant

Kovilpatti West P.S.,

Thoothukudi District.

Cr. No.606/2026

Petition u/s.483 BNSS is filed to grant bail to the petitioner.

This Petition has come up for final hearing before this court today, in the presence of Thiru.M.Ganesan Advocate for the petitioner and the learned Public Prosecutor for prosecution.

Heard both side.

ORDER

The petitioner is alleged to have committed offences on 30.06.2026 u/s.123 of BNS and Section 24(1) of Cigarette and Other Tobacco Products Act. The petitioner was arrested and remanded to judicial custody on 30.06.2026.



The case of the prosecution is that, the petitioner along with other accused were in illegal possession of banned tobacco products for sale.

The learned counsel for the petitioner has submitted that, the petitioner is an innocent and not at all committed any offence as alleged by the prosecution and that the petitioner is in judicial custody from 30.06.2026 for the past 21 days and that this petitioner is working only as a bus driver and properties were recovered and this is the 2nd bail application and the earlier bail application was dismissed by this court in Cr.M.P. No.3447/2026 dated 13.07.2026 and no previous case against this petitioner and that the petitioner is ready and willing to furnish sufficient sureties for his release on bail and that therefore, the petitioner may be enlarged on bail.

The learned Public Prosecutor has raised strong objection to release the petitioner on bail by stating that, 9300 packets of Ganesh tobacco and 3690 packets of Coolip were seized by the respondent police and further stated that no previous case against this petitioner.

The petitioner is in judicial custody for the past 21 days. Properties were seized by the respondent and no previous case against this petitioner. This is the 2nd bail application and the earlier bail application was dismissed by this court on 13.07.2026. Hence, considering the above facts and circumstances of the case., this Court is inclined to grant bail to the petitioner subject to the following conditions:

i) The petitioner is ordered to be released on bail on executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kovilpatti,

ii) The petitioner shall appear and sign before the respondent police station daily twice a day at 10.00 A.M and 05.00 P.M. from the date of release until filing of charge sheet,



iii) If the petitioner breaches any of the aforesaid conditions, the learned Judicial Magistrate is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed by the said officer as laid down by the Hon'ble Supreme Court in P.K.Shaji .vs. State of Kerala (2005 AIRSCW 5560),

iv) And if the petitioner, thereafter abscond, a fresh F.I.R may be registered against the petitioner u/s.269 of BNS.

Pronounced by me in the Open Court this the 20th day of July 2026.

Principal Sessions Judge,
Thoothukudi.

To

- The Judicial Magistrate No.II, Kovilpatti.
- The Public Prosecutor, Principal District Court, Thoothukudi.
- The Inspector of Police, Kovilpatti West P.S., Thoothukudi.
- The Supdt. of Central Prison, District Jail, Sub Jail/
Palayamkottai, Perurani, Srivaikundam, Kovilpatti.
- The Advocate for the petitioner.

They are requested to download the copy of the order from the official web site of this court only for purpose of furnishing sureties before the concerned court.