

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, VILLUPURAM

Present: Thiru. A.Manimozhi, B.A., LL.B.

Principal Sessions Judge, Villupuram

Saturday, the 7th day of March 2026.

CMP.No.945/2026

(Cr.No.98/2026, Thiruvannainallur P.S., Judicial Magistrate, Thiruvannainallur)

Ebram Sha, S/o. Kaja Moidheen

... Petitioner/Accused.

/VS/

State by Inspector of Police,
Thiruvannainallur P.S.,

... Respondent/Complainant.

Petition filed u/s.483 B.N.S.S. dated 04.03.2026 to release the accused on bail.

This petition is coming on this day before me for hearing in the presence of Thiru.M.Muralitharan, Advocate for the Petitioner and Thiru.T.S.Subramanian, Public Prosecutor for the state, and upon perusing both side contentions, this court delivered the following:

ORDER

This petition has been filed by the petitioner u/s.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail for the offences alleged to have been committed by him under sections 123, 274, 275 of B.N.S. r/w. section 24(1) of COTPA Act, 2003.

The learned counsel for the petitioner stated that the petitioner has been in judicial custody for the past 15 days from 20.02.2026 onwards. The learned counsel further stated that the petitioner is an innocent and he has been falsely implicated in this offence, and the petitioner has never indulged in any illegal activities as alleged and no previous criminal antecedents, and the petitioner is having permanent residence and he belongs to respectable family and he would neither abscond nor tamper any witnesses and prays to release him on bail.

The learned Public Prosecutor represented that incident said to have taken place on 20.02.2026 and FIR was registered on the same day, and there is only one accused involved in this case. The defacto complainant is the Sub Inspector of Police, Thiruvannainallur Police Station. On the occurrence day, as per the secret information, the defacto complainant and his Officials conducted inspection, at that time the petitioner was illegally transported 1500 packets of Hans, 150 packets of Ganesh, 32 packets of Cool lip, 540 packets of Vimal Pan Masala and 540 packets of V1 tobacco in one two wheeler, even after knowing that it is injurious to human life and further it was prohibited by the Government and hence the petitioner was arrested and remanded to judicial custody and the same has been recovered. The total value of the property is Rs.39,360/-. The

learned Public Prosecutor further stated that the petitioner hails from Pudukottai District, and there is no previous case is pending against the petitioner.

Considered the submissions on both sides and perused the records. It is alleged that on the occurrence day, the petitioner was found to be in possession of banned tobacco products worth about Rs.39,360/-. It is stated that the property was recovered by the respondent police, and the petitioner hails from Pudukottai District and no previous case is pending against the petitioner. The occurrence happened on 20.02.2026. The petitioner has been in custody for the past 15 days. Considering these aspects and the recovery of the property and the nature of the offence and the period of custody undergone by the petitioner and also taking into note of the fact that the consumption of above said Tobacco is very injurious to human life and further it leads to Cancer and hence this court is inclined to allow this petition with the following **stringent** condition.

(a) The petitioner/accused is ordered to be released on bail on condition that the petitioner shall deposit a sum of **Rs.2000/- (Rupees Two Thousand Only) (Non refundable)** towards the Account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute (WIA), Dr. S. Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code. 1497, MICR No.600011049 and to produce the Bank Challan before the **Judicial Magistrate, Thiruvannainallur.**

(b) The petitioner/accused is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- with two sureties each, in which one surety must be a blood surety**, for a like sum to the satisfaction of the **Judicial Magistrate, Thiruvannainallur.**

(c) The petitioner shall appear and sign before the **Respondent Police Station daily at 10.00 A.M. for a period of 30 days** (including holidays) from the next day of execution of bond before the trial Court.

(d) The sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

(e) The petitioner shall not commit any offences of similar nature.

(f) The petitioner shall not abscond either during investigation or trial.

(g) The petitioner shall not tamper with evidence or witness either during investigation or trial.

(h) On breach of any of the aforesaid conditions, the learned Magistrate/Trial court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial court

himself/herself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

(i) If the accused thereafter abscond, a fresh FIR can be registered under section 269 of B.N.S.

Accordingly, this petition is allowed.

Pronounced by me in open court this the 7th day of March 2026.

Principal Sessions Judge,
Villupuram.

To
The Judicial Magistrate, Thiruvannainallur.

Copy to

1. The Petitioner's Advocate.
2. The Public Prosecutor, Villupuram.
3. The Inspector of Police, Thiruvannainallur P.S.,
4. The Superintendent, District Jail, Vedampattu through E-mail.