

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, VILLUPURAM  
Present: Tr.S.Rajasimmavarman, B.A., B.L.,(Hons.),  
Principal Sessions Judge, Villupuram.(I/c)

Monday, the 23<sup>rd</sup> day of March 2026.

**CMP.No.1021/2026**

(Cr.No.72/2026, Villupuram West P.S., Judicial Magistrate No.I, Villupuram)

Abishek, S/o.Manikandan

... Petitioner/Accused.

/VS/

State by Inspector of Police,  
Villupuram West P.S.

... Respondent/Complainant.

Petition filed u/s.483 B.N.S.S. dated 09.03.2026 to release the accused on bail.

This petition is coming on this day before me for hearing in the presence of Thiru.M.Ajithkumar, 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**

Heard both sides. Perused both side contentions. The petitioner/accused is seeking bail for the offences alleged to have been committed by him under sections 274, 275, 123 of B.N.S., section 7, 9(ii) of Tamil Nadu Prohibition of Smoking and Spitting Act. The learned counsel for the petitioner stated that the petitioner is an innocent and he has been falsely implicated in this case and he was arrested and remanded to judicial custody on 01.03.2026 and he is in custody for the past 22 days and he is having permanent residence and he belongs to respectable family and he would neither abscond nor tamper any witnesses and hence the petitioner may be released on bail.

The learned Public Prosecutor represented that incident said to have taken place on 01.03.2026 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, Villupuram West 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 in possession of 1 Kg and 400 grams of Mava (Tobacco products), 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 learned Public Prosecutor further stated that three previous cases are pending as against the petitioner and material part of the investigation is completed.

Considering the representation made by the prosecution that the alleged property was seized and three previous cases are pending as against the petitioner and material part of the investigation is completed and considering the period of custody of the petitioner for the **past 22 days** and considering the nature and circumstances of the case 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 on the following **stringent** condition.

**In the result**, the petitioner/accused is ordered to be released on bail on condition that the petitioner shall deposit a sum of **Rs.1000/- (Rupees One 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 No.I, Villupuram** and on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- with two sureties** for a like sum each to the satisfaction of **Judicial Magistrate No.I, Villupuram** and on condition that the petitioner shall appear and sign before the **Respondent Police Station daily at 10.00 A.M. until further orders** (including holidays) from the next day of execution of bond before the trial Court and further on conditions that,

- (a) 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;
- (b) the petitioner shall not commit any offences of similar nature.
- (c) the petitioner shall not abscond either during investigation or trial.
- (d) the petitioner shall not tamper with evidence or witness either during investigation or trial,
- (e) 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].
- (f) 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 23<sup>rd</sup> of March 2026.

Principal Sessions Judge,  
Villupuram.(I/c)

**To**  
The Judicial Magistrate No.I, Villupuram.

**Copy to**

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