

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

Present: **Thiru.A.Kanthakumar, M.L.,**
Principal District and Sessions Judge,
Virudhunagar District at Srivilliputtur.

Dated this the 12th day of June 2026, Friday.

Cr.M.P. No.1534/2026

Perumalsamy

... Petitioner/Accused.

/ Vs /

State through the Inspector of Police,
Srivilliputtur Taluk P.S.

Cr.No.33/2026

U/s.123 of BNS r.w. Sec. 6(b) and 24(1) of COTP Act.

... Respondent/ Complainant.

This petition coming on this day before me for hearing in the presence of Thiru.S.John, Advocate for the petitioner and Thiru.S.Thirumalaiappan, Public Prosecutor for the respondent and upon hearing the argument of both sides, this court made the following

ORDER

It is an application for bail u/s.483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS)

FIR was registered against the petitioner/accused for the offences u/s.123 of BNS r.w. Sec. 6(b) and 24(1) of COTP Act. The occurrence happened on 27-05-2026 and the petitioner is under custody for the past 16 days from 27-05-2026 onwards.

As per FIR, on 27-05-2026 at about 07-00 hours a police party led by S.I. of police of respondent PS were on picketing duty at Anaithalappatti, Srivilliputtur Taluk to prohibit illegal selling of banned tobacco products. On information the respondent police went to the shop belonged to the petitioner. At that time, the petitioner/accused was standing near his shop and on seeing the police party, he attempted to escape from that place. The respondent police surrounded and searched the petitioner he was found in possession of banned tobacco products weighing about 13.500 kgs. Hence, this case.

According to the learned counsel for the petitioner, the petitioner is innocent and he has not committed any such offence and prays to enlarge the petitioner on bail. On the other hand, the learned Public Prosecutor submitted that if the petitioner is released on bail he would commit similar types of offences again and hence he objected to grant bail to the petitioner.

Heard both sides. Records perused. On perusal of records would show that the petitioner possessed with 3.5000 kgs of banned tobacco products and he is under custody for the past 16 days and he has two previous case, out of that one is in similar nature. Considering the period of custody of the petitioner and the property was recovered on the spot itself. Considering that the petitioner has 2 previous case out of that one is in similaar nature, this Court is inclined to grant bail to the petitioner subject to deposit a sum of Rs.5000/- to the Government Hospital, Srivilliputtur for providing necessary facilities to the general public along with other conditions.

Accordingly the petition is allowed and the petitioner/accused is ordered to be released on bail on the following terms:-

i) The petitioner shall deposit a sum of Rs.5,000/- (Rupees five thousands only) to the Government Hospital, Srivilliputtur for providing necessary facilities to the general public - Name :- Medical Officer, Government Hospital, Srivilliputtur - Account No.44673914319 – State Bank of India. Srivilliputtur – IFSC SBIN0000921.

ii) The petitioner shall execute a personal bond for Rs.10,000/- with two sureties for the likesum each to the satisfaction of Judicial Magistrate No.II, Srivilliputtur.

iii) The petitioner /accused shall appear before the respondent PS, everyday at 6-00 pm until further orders.

iv) The petitioner shall not abscond either during the investigation or trial, that the petitioner shall not tamper with evidence or witness either during investigation or trial.

v) On breach of any of the aforesaid conditions, the Judicial Magistrate 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 Judicial Magistrate himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala (2005) AIR SCW 5560.

Pronounced by me in the Open Court on this the 12th day of June 2026.

Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.

To

The Judicial Magistrate No.II, Srivilliputtur.

The Inspector of Police, Srivilliputtur Taluk P.S

The Superintendent, Sub Jail, Srivilliputtur. (Through e-Mail).

The Medical Officer, Government Hospital, Srivilliputtur.