

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 17th day of June 2026, Wednesday.

Cr.M.P. No.1612/2026

Krishnamoorthy

... Petitioner/Accused.

/ Vs /

State through the Inspector of Police,
Vembakottai P.S.
Cr.No.176/2026
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.K.Jeyaram, 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 31-05-2026 and the petitioner is under custody for the past 17 days from 31-05-2026 onwards.

As per FIR, on 31-05-2026 at about 10-00 am a police party led by S.I. of Police of respondent PS were on picketing duty at Pernaikenpatti to Madathypatti road, near A1 cardboard company to prohibit illegal selling of banned tobacco products. At that time, a Maruthi Swift Car bearing Reg.No.TN-58 BK-7502 came on that way and on seeing the police party, the said car returned back to Sivakasi. The respondent police surrounded and searched that car, it is found that banned tobacco weighing about 131.750 kgs was illegally transporting in that car. The respondent police recovered the banned tobacco products and sale proceeds of Rs.6,80,000/-. 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 contended that the petitioner is the supplier and 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. A perusal of the records reveals that the petitioner was found in possession of 131.000 kilograms of banned tobacco products and has been in judicial custody for the past 17 days. It is also seen that the petitioner has three previous criminal cases to his credit.

The learned Public Prosecutor strongly opposed the bail application, contending that the petitioner was found in possession of 131.000 kgs of banned tobacco products, which constitutes a substantial commercial quantity. It was further submitted that the petitioner was engaged in the supply and sale of such prohibited products and that banned tobacco products, along with sale proceeds amounting to Rs.6,80,000/-, were recovered from his possession. The learned Public Prosecutor also pointed out that the petitioner is involved in three previous cases and submitted that, if released on bail, he is likely to indulge in similar offences again. The investigation is pending.

Considering the nature and gravity of the allegations, the recovery of 131.000 kilograms of banned tobacco products and sale proceeds of Rs.6,80,000/-, the criminal antecedents of the petitioner, and the likelihood of his indulging in similar activities if released on bail, this Court is of the view that the petitioner is not entitled to bail at this stage. Accordingly, this Court is not inclined to grant bail to the petitioner.

In the result, the petition is dismissed.

Pronounced by me in the Open Court on this the 17th day of June 2026.

Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.

To

The Inspector of Police, Vembakottai P.S