

—:: कार्यालय प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.) ::—

पृष्ठा.क्र० 3331 / एक-6-2 / 11

उज्जैन, दिनांक अप्रैल, 2026

प्रतिलिपि :-

27 APR 2026

1. (समस्त न्यायाधीशगण, जिला उज्जैन)

की ओर माननीय उच्च न्यायालय मध्यप्रदेश, जबलपुर द्वारा प्रेषित ज्ञापन क्रं. बी/1738

दिनांक 24.02.2026 की प्रति मय Criminal Appeal No. 701 of 2026 (Arising out of Special Leave Petition (Cri.) No. 18886 of 2025) Reginamary Chellamani Vs State Rep by Superintendent of Customs में माननीय उच्चतम न्यायालय द्वारा पारित आदेश दिनांक 05.02. 2026 की प्रति सहित सूचनार्थ, पालनार्थ एवं आवश्यक कार्यवाही हेतु संलग्न प्रेषित।

संलग्न : उपरोक्तानुसार


प्रधान जिला एवं सत्र न्यायाधीश,
उज्जैन (म.प्र.)

HIGH COURT OF MADHYA PRADESH: JABALPUR

No.

B/1738..
III-2-5/2026

Jabalpur, dated 24/02/2026

To,

The Principal District and Sessions Judge(s),
All in the State (M.P.)

Subject:- Compliance of directions of Honourable the Supreme Court of India order dated 05.02.2026 passed in Criminal Appeal No. 701/2026 (Arising out of SLP (Crl.) No. 18886/2025) in the case of Reginamary Chellamani Vs. State Rep by Superintendent of Customs.

Sir/Madam,

Please find enclosed herewith a copy of the order passed by Honourable the Supreme Court of India dated 05.02.2026 in **Criminal Appeal No. 701/2026 (Arising out of SLP (Crl.) No. 18886/2025)** in the case of "*Reginamary Chellamani Vs. State Rep by Superintendent of Customs*".

As directed, I request you to bring the same into the knowledge of all the Judicial Officers under your kind control for information, compliance and necessary action.

Further, in pursuance to order dated 05.02.2026 passed by the Hon'ble Supreme Court, Hon'ble the Chief Justice has been pleased to direct to issue following instructions/guidelines to all the Trial Courts which are to be adopted and put into practice scrupulously by all the concerned Trial Courts within the state :-

1. *It is incumbent upon the Trial Courts dealing with criminal proceedings wherein accused is unrepresented to inform the accused of their right to legal representation and their entitlement to be represented by Legal Aid counsel, in the event they cannot afford a counsel.*

2. *The Trial Courts shall record the offer made to the accused in this regard and also response of the accused to the offer made as well as the action taken thereupon in their orders, before commencing the examination of the witnesses.*

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You are further requested to communicate the above instructions/guidelines to all the Judicial Officers working under your control and supervision for compliance in letter and spirit and to intimate further that any deviation or non compliance of the said instructions will be viewed seriously.

Encl:- As above.


MUKESH RAWAT

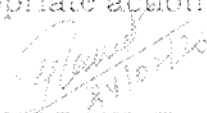
REGISTRAR District Establishment

Encl. No. B/1739
III-2-5/2026

Jabalpur, dated 24/02/2026

Copy forwarded to:-

The Principal Registrar (J)/Registrar (J-II)/
Registrar (I & L), Director, Madhya Pradesh State Judicial
Academy, Jabalpur and Assistant Registrar (M), Supreme
Court, Section for information and appropriate action.


MUKESH RAWAT

REGISTRAR District Establishment



2026 INSC 127

REPORTABLE

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 701 OF 2026
(arising out of SLP(Crl.) No. 18886/2025)

REGINAMARY CHELLAMANI

APPELLANT(S)

VERSUS

STATE REP BY
SUPERINTENDENT OF CUSTOMS

RESPONDENT(S)

O R D E R

Leave granted.

The appellant, Reginamary Chellamani, is aggrieved by the denial of regular bail by the High Court of Judicature at Madras, vide order dated 24.07.2025 passed in Crl.O.P. No. 7857/2025, in relation to Case R.R. No. 41/2021 (C.C. No. 225/2022 on the file of the learned Principal Special Judge under EC and NDPS Act Cases,

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Crl.A., O.SLP(Crl.) No. 18886/2025

Chennai), for the offences punishable under Section 8(c) read with Sections 20(b)(ii)(C), 22(c), 23, 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985¹ read with Section 135 of the Customs Act, 1962.

The amount of contraband substance allegedly seized from the person of the appellant, Reginamary Chellamani, is stated to be above the commercial quantity prescribed in that regard under the aforestated enactment. We, however, find that the appellant, Reginamary Chellamani, has been in custody for 4 years 1 month and 28 days as on date.

Given the length of incarceration that the appellant has already suffered and as an identically situated accused person, who was travelling along with the appellant, Reginamary Chellamani, on the same flight, has been granted bail by this Court, we are inclined to grant the same

¹ "NDPS Act", for short

relief to the appellant at this stage.

The appeal is accordingly allowed, setting aside the impugned order dated 24.07.2025.

The appellant, Reginamary Chellamani, is directed to be released on bail in connection with the aforestated NDPS case, on stringent terms and conditions to be fixed by the trial Court. In addition, the appellant, Reginamary Chellamani, shall surrender her passport before the trial Court.

The appellant, Reginamary Chellamani, shall cooperate during the course of the trial and shall not take unnecessary adjournments.

The trial Court shall endeavour to conclude the trial at the earliest.

We clarify that we have not made any observations/comments on the merits of the case and any observation made in this order is meant only for the limited

purpose of grant of bail.

We may also note at this stage that the appellant did not cross examine the witnesses at the initial stage and it was only after she engaged her own counsel and her application for re-examining those witnesses was allowed that she was permitted to do so.

It is incumbent upon the trial Courts dealing with criminal proceedings, faced with such situations, to inform the accused of their right to legal representation and their entitlement to be represented by legal aid counsel in the event they cannot afford a counsel. The trial Courts shall record the offer made to the accused in this regard, the response of the accused to such offer and also the action taken thereupon in their orders, before commencing examination of the witnesses.

This procedure requires to be adopted and put in practice scrupulously.

This order shall be communicated to the Chief Justices of all the High Courts to enable suitable instructions being issued in this regard to all the concerned trial Courts within the State.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(K. VINOD CHANDRAN)

NEW DELHI;
FEBRUARY 05, 2026.