OFFICE OF THE DISTRICT JUDGE, PRAYAGRAJ.

ADMIN. ORDER NO. 182 **Dated: March 17 ,2026**

ORDER

While enclosing herewith a pdf copy of **Judgment/Order dated 05.02.2026** passed by **Hon'ble Supreme Court of India in Criminal Appeal No. 701 of 2026 (Arising out of SLP (Crl.) No. 18886 of 2025), Reginamary Chellamani Vs. State Rep by Superintendent of Customs** vide Hon'ble High Court's Letter No. **2803/Admin. G-II Dated 10.03.2026**, it has been communicated that during the course of hearing of afore-mentioned Criminal Appeal, Hon'ble Supreme Court, vide order dated 05.02.2026, has been pleased to issue following directions:-

> ***".....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."***

II. In compliance of Hon'ble Court's above directions, following order is being passed with immediate effect:

(a) The System Officer is directed to provide a soft/pdf copy of **Order/judgment dated 05.02.2026** passed by the **Hon'ble Supreme Court** in the aforementioned Criminal Appeal as well as Hon'ble High Court's Letter No. **2803/Admin.G-II Dated 10.03.2026** to all the Judicial Officers working under control of undersigned for information & strict compliance in letter & spirit.

(b) A hard-copy of above mentioned Order dated **05.02.2026** passed by the **Hon'ble Supreme Court** in the aforementioned Criminal Appeal as well as Hon'ble High Court's Letter No. **2803/Admin.G-II Dated 10.03.2026** be also circulated among all the Judicial Officers working under control of undersigned for information & strict compliance in letter & spirit.

(c) In compliance of order/judgement dated 12.08.2025 passed by Hon'ble High Court in Crl. Misc. Application u/s 528 BNSS No. 6400 of 2025 titled Smt. Bacchi Devi Vs State of UP And Another, a meeting of all Judicial Officers of the Judgeship is convened on **20.03.2026** at **4.35 PM**, in the **Meeting Hall,** situated at the II-Floor of Newly constructed 24-Court Room Building of District Court Prayagraj for discussion and deliberation regarding compliance of **Judgement dated 05.02.2026** passed by **Hon'ble Supreme Court of India in Criminal Appeal No. 701 of 2026 (Arising out of SLP (Crl.) No. 18886 of 2025), Reginamary Chellamani Vs. State Rep by Superintendent of Customs,** All the Judicial Officers of the Judgeship are directed to participate in the said meeting.

Inform all concerned for strict compliance.

17-3-2026

(**Satya Prakash Tripathi**)
District & Sessions Judge
Prayagraj.

Dated: March 17 ,2026

Through e-mail

From,

Manjeet Singh Sheoran, HJS
Registrar General
High Court of Judicature at,
Allahabad

To,

All the District and Sessions Judges/OSD
All the Principal Judges, Family Courts
All the Presiding Officers of Commercial Courts, MACTs & LARRAs
State of Uttar Pradesh

Letter No. 2803 **/Admin G-II** **Dated** 10/03/**2026**

Sub: **Compliance of order/ judgment dated 05.02.2026 passed by Hon'ble Supreme Court in Criminal Appeal No. 701 of 2026 (arising out of SLP (Crl.) No. 18886 of 2025), Reginamary Chellamani V/s State Rep by Superintendent of Customs**

Madam/Sir,

During the course of hearing of afore-mentioned Criminal Appeal, Hon'ble Supreme Court vide order dated **05.02.2026 (pdf copy enclosed),** has been pleased to issue following directions:-

> ***"....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."***

In this regard, I am directed by Hon'ble Court to send the pdf copy of the aforesaid order dated 05.02.2026 passed by Hon'ble Supreme Court to your goodself for onward circulation of the same amongst all the Judicial Officers of your judgeship for their information and strict compliance.

Encl:- As above

With Regards,

Yours faithfully,

9.3.26

Registrar General

No. **/Admin G-II** **Dated** **/2026**

copy to **The Director, Judicial Training and Research Institute,** U.P., Lucknow for information.

Registrar General

2026 INSC 127

REPORTABLE

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 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,

Signature Not Verified
Digitally signed by Deepak Gugnani
Date: 2026.02.05 17:33:19 IST
Reason:

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, 1985[1] 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.