



Crl.OP.No.22 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.22 of 2026

Babula Sasmal

... Petitioner

Vs.

The State of Tamilnadu

Rep by
The Inspector of Police,
T-1, Tambaram Police Station PEW
Tambaram City, Tamilnadu.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail for the petitioner in Cr.No.35 of 2025 on the file of the Inspector of Police, T-1, Tambaram Police Station PEW, Tambaram City, Tamilnadu.

For Petitioner : Mr.M.Krishen

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 18.03.2025 for the alleged offence under Sections 8(c), 20(b)(ii)(C) and 29(1) of NDPS Act in Cr.No.35 of 2025 on the file of the respondent police, seeks bail.

2. This is the successive bail petition, after the dismissal of the petitioner's earlier bail petition of this Court vide dated 04.09.2025 in CrI.OP.No.22570 of 2025. In this case, the other new ground raised by the petitioner is that he only knew the Oriya language and all this document was executed in the Tamil language and it was not translated into Oriya language.

3. The learned counsel appearing for the petitioner submitted that in the Mahazar, confession and other documents, the petitioner herein was informed about the proceedings and the documents in Hindi language through the Hindi knowing constable. However, the petitioner is not known the language of Hindi and there is a violation of provisions of various mandatorys requirements including, explaining the grounds of arrest in the



language not known to him. Hence, he prayed for grant of bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the from the stage of interception of the petitioner, for the purpose of conducting search and the petitioner has stated before the search Officer that he only knew the Hindi and hence, with the help of Hindi knowing constable, all the proceedings were translated and documents were executed in the Tamil language and the same was also been properly informed and the petitioner is also aware about the same. However, he has never raised any objections, either before the learned Judicial Magistrate or any other authorities, even in the earlier bail petition also. They have not raised this contentions that he only know the Oriya language, after the dismissal of the bail petition. Now, the new ground has been taken that as if the petitioner herein knew the Oriya language and he was not aware about the Hindi language. Hence, he opposed for grant of bail to the petitioner.

5. I have also gone through the FIR and other connected materials and including the documents executed prior to the registration of an FIR, which



revealed that at the time of inception, enquiring the name of the petitioner , it has been recorded that the petitioner has replied to the queries raised by the respondent in Hindi language only. Thereafter, the respondent has appointed Hindi Translator and other monetary provisions including explaining the right under Section 50 of the NDPS Act, has been explained to the petitioner in Hindi language and the endorsement made regarding this. Further, the name of the person, who was translated is also recorded, almost all the records, including the seizure mahazar. Though it is stated that the burden is on the prosecution to prove that the petitioner was aware about the Hindi language, in this case, the various documents executed, clearly reveals that at the time of enquiring the petitioner, the petitioner has replied, he only knew Hindi language and subsequently it was translated into Tamil and the documents were executed. Further, there was no objection raised regarding this at the earliest point of time either before the trial Court or at the time of remand and only after dismissal of the earlier bail petition that too after more than two years, the petitioner has come forward with this claim that the petitioner not knew the Hindi language. Hence, this court is of the view that the said contention could not be raised after the lapse of two years and even after having dismissal of earlier bail petition on merits.



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6. In view of the above, I am not inclined to consider the point raised in favour of the petitioner and the petitioner is not entitled for granting bail.

7. Accordingly, this Criminal Original Petition stands dismissed.

24.02.2026

Vv

To

1. The Inspector of Police,
T-1, Tambaram Police Station PEW
Tambaram City, Tamilnadu.
2. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

Vv



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