



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2026
(@ Special Leave Petition (Crl.) No. 3373/2026)

SAW THIMMU . . . APPELLANT (S)

VERSUS

THE STATE OF ANDAMAN AND NICOBAR
ISLANDS . . . RESPONDENT (S)

O R D E R

Leave granted.

This appeal challenges the order dated 21.11.2025 passed by the High Court of Calcutta, Circuit Bench at Port Blair in C.R.M. (SB) No. 7 of 2025.

This criminal appeal arises out of crime registered pursuant to FIR No. 18 of 2025 dated 05.09.2025 lodged with PS Crime and Economic Offence, District South Andaman, registered under Sections 11, 21 and 23(b) of the Immigration and Foreigners Act, 2025 and Sections 50 and 51 of the Wildlife (Protection) Act, 1972. Chargesheet No. 33/2025 was filed on 01.11.2025, in which Sections 61(2)(a), 132 and 221 of the Bharatiya Nyaya Sanhita, 2023 were also added. The appellant was

taken into custody in connection with the aforesaid crime on 31.10.2025.

The application seeking regular bail having been rejected by the High Court vide impugned order dated 21.11.2025, the appellant has preferred the instant appeal.

By order dated 26.02.2026, this Court issued notice in the instant matter.

We have heard learned counsel for the appellant and learned counsel for the respondent and perused the material on record.

Learned counsel for the appellant submitted that the appellant was not even named in the FIR. However, he was apprehended and arrested on 31.10.2025 and has been in jail since then; that the respondent now intends to file a supplementary chargesheet and there are as many as sixteen witnesses to be examined and the charges have recently been framed; that the trial will inevitably be delayed. The appellant herein is a carpenter by profession and has nothing to do with the foreign nationals who have been convicted and who are in jail presently. In the circumstances, the impugned order may be set aside and relief of bail may be granted to the appellant herein.

Per contra, learned counsel for the respondent with reference to his counter affidavit contended that there are only sixteen witnesses to be examined and, therefore, a direction may be issued to the concerned Sessions Court to conclude the trial expeditiously as any relief of bail granted to the appellant herein would result in the trial being frustrated.

Considering the facts on record, in our view, the case for regular bail is made out.

We, therefore, allow this appeal and direct as under:

"The appellant Saw Thimmu shall be produced before the concerned Trial Court as early as possible and the Court shall release him on bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the proceedings arising out of FIR No. 18 of 2025 mentioned above."

It is directed that the appellant shall extend complete cooperation in the ensuing trial.

The appellant shall not misuse his liberty and shall not in any way influence the witnesses or tamper with the material on record.

Any infraction of the conditions may entail in cancellation of bail granted to the appellant.

With the aforesaid directions, the criminal appeal
is allowed.

.....J.
[B.V. NAGARATHNA]

.....J.
[UJJAL BHUYAN]

NEW DELHI
APRIL 06, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3373/2026
[Arising out of impugned final judgment and order dated 21-11-2025
in CRM(SB) No. 7/2025 passed by the High Court of Calcutta Circuit
Bench at Port Blair]

SAW THIMMU

Petitioner(s)

VERSUS

THE STATE OF ANDAMAN AND NICOBAR ISLANDS

Respondent(s)

FOR ADMISSION

IA No. 59644/2026 - EXEMPTION FROM FILING O.T.

Date : 06-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :Ms. Mayuri Raghuvanshi, Adv.
Mr. Manas Ajai Sonkar, Adv.
Mr. Manojit Baraik, Adv.
Mr. Md Shah Minhajuddin, Adv.
Mr. Md Adil Khan, Adv.
Mr. Subhro Prokas Mukherjee, AOR

For Respondent(s) :Mr. Mukesh Kr. Verma, Adv.
Ms. Indira Bhakar, Adv.
Mr. Santosh Ramdurg, Adv.
Mr. Yogesh Vats, Adv.
Mr. Shreekant Neelappa Terdal, AOR
Mr. Vineet Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The Appeal is allowed in terms of the signed
order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
(DEPUTY REGISTRAR)

(DIVYA BABBAR)
COURT MASTER (NSH)

(signed order is placed on the file)