IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1404 OF 2026
IN
BAIL APPLICATION NO. 1074 OF 2024

Tamil Selvan Marimuttu Harijan ... Applicant
V/S.
State of Maharashtra ... Respondent

Ms. Sana Shaikh, for the Applicant.
Ms. Anagha Deshmukh, APP for the Respondent–State.
Mr.Ramesh Khapale, PSI, Sahar Police Station, present.

CORAM: SHYAM C. CHANDAK, J.
DATED : 17th AUGUST, 2026

P.C. :-

1. Heard learned Counsel for the parties. Perused record.

2. The present application seeks restoration of Bail Application No.1074 of 2024, which was dismissed on 20th February, 2026. The said order reads as under:

> "**1.** None appears for the Applicant.
>
> **2.** On 19th November 2025, Ms. Sana Shaikh, learned counsel appearing for the Applicant, sought time in the matter and she also requested for a copy of the statement of the Victim recorded under Section 164 of Code of Criminal Procedure, 1973.
>
> **3.** Mr. Modak, learned counsel appointed to represent the Respondent No.3-Victim, was also directed to be given DNA Report as well as the case status Report by the learned APP.
>
> **4.** Thereafter, on 19th December 2025, none appeared for the Applicant. Even on 6th February 2026, none had appeared for the Applicant.

> 5. Today, Mr. Modak and Mr. Mayur Sonavane, learned APP representing the State in the matter, have tendered the examination report pertaining to the DNA analysis of the baby born to the Victim and the Accused, i.e., the present Applicant. The said report is taken on record. As per the opinion of the Chemical Analyst Expert, the Victim and the Applicant are concluded to be the biological parents of the baby, who is now deceased.
>
> 6. In these circumstances, the present Bail Application is dismissed and stands disposed of."

3. Since the Bail Application No.1074 of 2024 was dismissed on 20.02.2026 without recording that it was dismissed for want of prosecution, therefore, learned counsel for the Applicant seeks leave to withdraw the aforesaid Interim Application with liberty to file a fresh bail application as earlier Bail Application was not heard on merits on the side of the Applicant.

4. Leave to withdraw is granted, with aforesaid liberty.

5. Interim Application stands disposed of, accordingly.

(SHYAM C. CHANDAK, J.)

Signed by: Sanjay A. Mandawgad
Designation: PA To Honourable Judge
Date: 18/08/2026 17:17:41