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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2900 OF 2026

Muruganantham Abhimanyu ...Applicant
V/s.
State of Maharashtra ...Respondent

Mr. Vinod Kashid, for the Applicant.

Mr. Bapu V. Holambe Patil, a/w Shri Shahaji R. Shinde, B Pannel Council, APP for the Respondent – State.

Mr. Shinde, PSI, Shahu Nagar Police Station, Mumbai, is present.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 13th OCTOBER, 2026.

P.C. :-

1. Heard learned counsel for applicant as well as learned APP for respondent-State.

2. The applicant has filed the instant application seeking pre-arrest bail in connection with FIR No. 464 of 2026 registered with Shahu Nagar Police Station for offence punishable under Sections 118(2), 115(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. The FIR is registered on the basis of report lodged by the complainant, alleging that on 06.09.2026, at about 18:30 hours, there

was a meeting in their locality to discuss the decoration for Ganpati festival. It is alleged that, at that time, the applicant has intervened in the said meeting and on account of certain quarrel, an altercation started. It is alleged that one of the accused persons attacked the complainant with iron rod. The offence came to be registered against two known and one unknown person, including this applicant who is arraigned as accused no. 1.

4. Learned counsel for applicant submits that the only allegation against this applicant is of assault by fist blows. He submits that, in the altercation, in fact, there was a quarrel in which this applicant was attacked by a chopper and a knife, on account of which he was hospitalized for 8 days, including 4 days in ICU. He submits that a counter FIR is lodged by this applicant, bearing FIR No. 465 of 2026, with Shahu Nagar Police Station. As regards the FIR in question, he submits that there are no allegations of any attack by this applicant and that there is no question of recovery of any weapon from this applicant. He submits that, although certain offences were registered against this applicant prior to 20 years, the same should not be a reason to deny anticipatory bail to the applicant. It is also submitted that, considering the registration of offence, the applicant is ready to join the investigation and extend cooperation in the investigation.

5. The application is opposed by learned APP, who submitted that the applicant's role in the alleged offence is clear from the allegations in the FIR. He points out that there are several criminal antecedents against this applicant, as stated in the affidavit and in view of this, submits that the applicant is likely to misuse the protection by threatening the prosecution witnesses. He therefore, insists for imposition of stringent condition, in case any protection is granted.

6. Perused the FIR and documents placed on record. It has to be noted that the role attributed to this applicant is about attack by fist blows. The allegations of attack by iron rod are against another accused person, who was arrested and is in custody. It is thus clear that there is no question of any recovery from this applicant. It is also relevant to note that a cross-FIR is lodged by this applicant, bearing FIR No. 465 of 2026, in connection with the same incident. In view of the fact that the applicant was hospitalized for total 8 days, including 4 days in ICU, the allegations in FIR in question need to be investigated further. At this stage, it *prima facie* appears that the allegations about applicant's role of attack by fist blows needs to be investigated and since no recovery is to be made from this applicant, his custodial interrogation is not warranted.

7. Although the affidavit about criminal antecedents mentions that certain offences were registered against this applicant, it has to be noted that the offences were registered prior to about 20 years. The same cannot be a reason to reject anticipatory bail, when the applicant has made out a case for grant of anticipatory bail.

8. Having regard to the overall submissions and the fact that the applicant has not been attributed with any serious role and further, since there is no question of recovery from this applicant, his personal liberty needs to be protected. Hence, the application needs to be allowed, subject to certain conditions.

9. In view of this, following order is passed.

: ORDER :

(i) Anticipatory Bail Application is allowed.

(ii) In the event of arrest of the applicant in connection with Crime No. 464 of 2026 registered with Shahu Nagar Police Station for offence punishable under Sections 118(2), 115(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023, the Applicant may be released on bail on furnishing P.R. Bond of Rs. 25,000/- (Rupees Twenty Thousand only) with one solvent surety of the like amount.

(iii) The applicant shall not visit the jurisdiction of Shahu Nagar and Dharavi Police Station till filling of charge sheet, except for the purpose of attending the Police Station for the purpose of investigation.

(iv) The applicant is directed to attend the Police Station as and when called upon by Investigating Agency. The applicant shall not contract the informant or any of the prosecution witnesses in any manner.

10. The Application is accordingly allowed and disposed of in above terms.

(PRAFULLA S. KHUBALKAR, J.)