



IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.517 OF 2026(F)
IN
CRIMINAL APPLICATION (BAIL) NO.385 OF 2026(F)

TANMAY JADHAV,
THR. HIS NEXT FRIEND LATIKA
JADHAV ...APPLICANT

Versus

UNION OF INDIA, THR. OFFICER
IN CHARGE OF CUSTOMS/IO
AND ANR. ... RESPONDENTS

Mr Yash Yogesh Naik, Advocate for the Applicant.

Ms Asha Desai, Special Public Prosecutor (through V.C.) with Ms Suprit
Dessai, Advocate for Respondent No.1.

CORAM : ASHISH S. CHAVAN, J.
VACATION BENCH

DATE : 20th MAY 2026

P.C. :

1. This application is made for extension of time granted to surrender vide order dated 22.04.2026 of this Court, which directed the Applicant to surrender within 15 days of his release from prison.
2. On 07.05.2026, this Court passed an order on an application filed by the State (Customs) seeking cancellation of the medical bail on the ground

that the Applicant had failed to keep the Investigating Officer (IO) apprised of his whereabouts. This Court noted that since the Applicant had undergone angioplasty and needed eight days' time to recuperate from the same, the period of medical bail was extended by eight days with the condition that the Applicant was directed to keep the IO informed about his whereabouts. The Applicant was directed to surrender on or before 5.00 p.m. on 14.05.2026 before the Prison Administration of Colvale Central Jail.

3. Vide an order dated 13.05.2026, this Court showed further indulgence to the Applicant wherein after noting that the follow-up visit of the Applicant with his doctor at Pune is on 18.05.2026, the time to surrender was extended till 20.05.2026 i.e. today. This Court was pleased to record the undertaking on behalf of the Applicant that the Applicant would make himself available for judicial custody on or before 20.05.2026.

4. Today, learned Counsel for the Applicant has tendered photocopy of the Medical Certificate dated 14.05.2026 issued by Dr. Abhijeet Palshikar. Taken on record and marked 'X' for identification. This certificate states that the Applicant is under the care of the said doctor from 04.05.2026 and that he is suffering from IHD and has undergone angioplasty on 06.05.2026. It further states that he is advised leave for few days as he is in recovery phase and unfit for travel. On behalf of the Applicant, it is submitted that on the basis of this Medical Certificate the Applicant may be granted some more time to surrender.

5. Ms. Dessai, learned Special Public Prosecutor has opposed the prayer of the Applicant. She states, at the outset, that the State had to file an application seeking cancellation of medical bail on the ground that the Applicant had failed to keep the IO apprised of his whereabouts. It was only on account of the indulgence of this Court considering that the Applicant had undergone angioplasty that the medical bail was extended on 07.05.2026. She would further submit that this Court has accommodated the grievance of the Applicant that he was unable to visit the doctor at Pune for follow-up and hence on 13.05.2026 this Court extended the time to surrender till 20.05.2026. She points out that it is on the undertaking given by the Applicant from time to time that this Court has shown indulgence particularly in view of the medical condition of the Applicant. She would further submit that the certificate on which the Applicant places reliance has disclosed facts which are at variance with the information of the IO and records produced before this Court. She states that the angioplasty has taken place on 07.05.2026 and not on 06.05.2026 as indicated in the Medical Certificate. Also, she would contend that the Applicant is under the care of the concerned doctor from 05.05.2026 and not from 04.05.2026. She would submit that these discrepancies make the certificate suspicious and do not inspire confidence to place reliance on. In any event, she would argue that the Medical Certificate issued on 14.05.2026 advises “leave for few days”, however, today six days have passed and even by the submissions of the Applicant this certificate does not render him incapacitated or medically unfit. In view thereof, she would pray that further time may not be granted for the Applicant to surrender.

6. Heard Mr Yash Naik, learned Counsel for the Applicant and Ms Asha Desai, learned Special Public Prosecutor for Respondent No.1.
7. A perusal of the orders dated 22.04.2026 and 07.05.2026 clearly indicates that an indulgence was shown by this Court to grant medical bail and time to surrender primarily on the ground of medical condition of the Applicant. Similarly, the order of this Court dated 13.05.2026 has shown further indulgence on the ground of the medical health of the Applicant by specifically recording the undertaking that the Applicant would make himself available for judicial custody on or before 20.05.2026.
8. The Medical Certificate sought to be relied upon by the Applicant only reiterates the facts that are already on record. Insofar as the advisory is concerned, I find force in the submission of the learned Special Public Prosecutor that it is in a generic term and does not indicate the medical condition of the Applicant and the timeline for which he is incapacitated. Without going into the allegations of discrepancies, suffice it to say that the Medical Certificate does not make out a positive case for further indulgence to be shown by this Court. Apart from the Medical Certificate, no other document is relied upon by the Counsel for the Applicant. In view thereof, and in the light of the undertaking of the Applicant given to this Court on 13.05.2026, in the facts and circumstances stated herein above, I find that the Applicant has not made out a case for a grant of further indulgence. In view thereof, the Applicant is directed to surrender tomorrow, i.e. 21.05.2026, before 5.00 p.m. to judicial custody, Central Jail at Colvale.

9. Accordingly, the Criminal Misc. Application No.517/2026(F) is rejected. Registry to waive office objections and number CRMA No.517/2026(F).

ASHISH S. CHAVAN, J.