

(2025) 04 KAR CK 0444

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 9034 Of 2025 (GM-POLICE)

Anand Kumar @ Kumar

APPELLANT

Vs

Director General Of Police Prisons And Correctional Services
No.9, Sheshadri Road Gandhi Nagar, Bengaluru - 560009 &
Ors.

RESPONDENT

Date of Decision : 24-04-2025

Acts Referred:

Indian Penal Code, 1860 — Section 376(3), 504, 506

Citation : (2025) 04 KAR CK 0444

Hon'ble Judges : M. Nagaprasanna, J

Bench : Single Bench

Advocate : Kiran S.S, Rahul Cariappa

Final Decision : Partly Allowed

Judgement

M. Nagaprasanna, J

1. The petitioner - convict (CTP No.11555) – Ananda Kumar @ Kumar, is before this Court seeking a direction by issuance of a writ in the nature of mandamus to respondent No.2 to release the convict on general parole for a period of 90 days in terms of the Prison Manual.

2. Heard Sri Sankesh A. Bohra, learned counsel for the petitioner and Sri Rahul Cariappa, learned Additional Government Advocate for the respondents – State.

3. The petitioner gets embroiled in a crime and is tried in S.C.No.14/2012 for the offences under Sections 302 and 498A of the IPC. He is sentenced in terms of the judgment of the concerned Court dated 25.09.2019. The petitioner files an application before the Chief Superintendent of Central Prison seeking general parole on the ground of renovation of his house, which is in a dilapidated condition. The same is rejected by an endorsement dated 20.02.2025. The petitioner after the said denial of the application, is knocking at the doors of this Court seeking his enlargement on general parole on the aforesaid score.

4. Learned counsel for the petitioner submits that the petitioner has been in prison for the last 13 years 1 month as per the prison certificate. The convict has not availed any kind of parole in his conviction period and now the petitioner is seeking his release on general parole on the ground that the house he was residing is in dilapidated condition and requires renovation. The conduct of the convict in terms of the imprisonment certificate is satisfactory and therefore, seeks his release on general parole for the purpose of renovation of the house.

5. Learned Additional Government Advocate would submit that there is no adverse against the convict while he is in prison.

6. In the light of the aforesaid submissions, I deem it appropriate to grant the convict – CTP No.11555 general parole for a period of 60 days, which becomes operational from the forenoon of 28.04.2025 upto the evening of 26.06.2025.

7. For the aforesaid reasons, the following:

ORDER

(i) The Writ Petition is allowed in part.

(ii) Mandamus issues to respondent No.2 to consider the representation of the petitioner and release the detainee/Nawaz Khan, (CTP No.11555) on general parole from the forenoon of 28.04.2025, till the evening of 26.06.2025.

(iii) The petitioner - convict (CTP No.11555) - shall mark his attendance in the jurisdictional police station, weekly once throughout the period of his parole and it would be the responsibility of the jurisdictional police to take him to gaol, in the event, the convict (CTP No.11555) would evade going back to the gaol, after the expiry of the period of general parole.

(iv) Respondent No.2 shall stipulate strict conditions as are usually stipulated, to ensure return of the detainee to the gaol and that he shall not commit any other offence during the period of parole.

(v) Registry is directed to communicate this order to respondent No.2, by way of electronic mail, forthwith.

(vi) The petitioner is at liberty to seek extension of parole, which shall be considered looking at the conduct of the petitioner – convict while he is out on parole.