

(2025) 04 KAR CK 0412

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 18423 Of 2024 (GM-POLICE)

Ganesha @ Gani

APPELLANT

Vs

Chief Superintendent Of Prison Central Prison, Shivamogga -
577222 & Ors.

RESPONDENT

Date of Decision : 07-04-2025

Acts Referred:

Indian Penal Code, 1860 — Section 302, 354A, 504

Citation : (2025) 04 KAR CK 0412

Hon'ble Judges : M. Nagaprasanna, J

Bench : Single Bench

Advocate : Sankesh A. Bohra, Rahul Cariappa K. S

Final Decision : Partly Allowed

Judgement

M. Nagaprasanna, J

1. The convict himself is at the doors of this Court seeking his release on parole for a period of 30 days.
2. Heard Sri. Talha Ismail Bengre, learned counsel appearing for the petitioner, Sri. Rahul Cariappa, learned AGA appearing for the respondents and have perused the material on record.
3. The petitioner gets embroiled in a crime for the offence punishable under Section 326A read with Section 34 of the IPC and he is tried in S.C.No.84/2015. The concerned Court, in terms of its order dated 15.07.2021, convicts the petitioner for the aforesaid offence. The petitioner has been in prison since 3 years and 4 months and seeking his release of parole on the demise of his father.
4. In the light of the petitioner seeking the parole for the first time and on this circumstance of demise of his father, I deem it appropriate to grant the petitioner parole for a period of 30 days, which would become operational from 09.04.2025 to 08.05.2025.

5. For the aforesaid reasons, the following:

ORDER

(i) Writ Petition is allowed.

(ii) Mandamus issues respondents to consider the representation of the petitioner and release him on parole for 30 days, from the forenoon of 09.04.2025, till the evening of 08.05.2025.

(iii) Respondents shall stipulate strict conditions as are usually stipulated, to ensure the return of the detenue (CTP No.787) to the gaol and that the petitioner shall not commit any other offence during the period of parole.

(iv) The convict (CTP No.787) 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 would evade going back to the gaol, after the expiry of the period of parole.

(v) Registry is directed to communicate this order to respondents, by way of electronic mail, forthwith.

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