

(2025) 04 KAR CK 0455

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 10499 Of 2025 (GM-POLICE)

T.S. Madhusudhan @ Madhu @ Bande

APPELLANT

Vs

State Of Karnataka & Ors.

RESPONDENT

Date of Decision : 29-04-2025

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 109, 115(2), 118(2), 352
Scheduled Castes & Scheduled Tribes (Prevention Of Atrocities) Act, 1989 — Section 3(2)(V)

Citation : (2025) 04 KAR CK 0455

Hon'ble Judges : Shivashankar Amarannavar, J

Bench : Single Bench

Advocate : Vinayak Soudagar, Abhishek Malipatil

Final Decision : Allowed

Judgement

M. Nagaprasanna, J

1. Petitioner is before this Court seeking his release on grant of parole for a period of 90 days.
2. Heard Sri Kiran S S, learned counsel appearing for petitioner and Sri Rahul Cariappa, learned Additional Government Advocate appearing for respondents.
3. Petitioner get embroiled in crime No.79 of 2018 for offences punishable under Sections 302 r/w Section 34 of the IPC. Petitioner is convicted in S.C.No.15005 of 2021. As on today, the petitioner has been in prison for over 4 years and 6 months and has not availed parole even on a single occasion.
4. Learned counsel for petitioner submits that the house in which the family of the petitioner is residing is in a dilapidated condition and the presence of the petitioner for repair of the house is imperative.
5. In that light, I deem it appropriate to grant the petitioner, parole for a period of 45 days from the date of his release from prison. Hence, the following:

ORDER

- (i) The Writ Petition is allowed in part.
- (ii) Respondent No.2 is directed to release the petitioner (CTP No.13762) on general parole for a period of 45 days, from the date of his release/
- (iii) The convict shall mark his attendance before the jurisdictional police station, weekly once, throughout the period of his general 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.
- (iv) Respondent No.2 shall stipulate strict conditions as are usually stipulated, to ensure return of the convict to the gaol and that he shall not commit any other offence during the period of parole.
- (v) The convict is at liberty to seek extension of parole, which shall be considered looking at the conduct of the convict, while he is out on parole.
- (vi) Registry is directed to communicate this order to respondent No.2, by way of electronic mail, forthwith.