

(2025) 04 KAR CK 0411

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 8150 Of 2025 (GM-POLICE)

Venkatesha @ Venkatappa

APPELLANT

Vs

State Of Karnataka & Ors.

RESPONDENT

Date of Decision : 07-04-2025

Acts Referred:

Citation : (2025) 04 KAR CK 0411

Hon'ble Judges : H.P. Sandesh, J

Bench : Single Bench

Advocate : B.B. Patil

Final Decision : Dismissed

Judgement

M. Nagaprasanna, J

1. The petitioner, a convict in Spl.C.No.403/2019 is seeking his release on general parole. The offences on which the petitioner gets convicted are the ones punishable under Section 376(3), 504 and 506 of the Indian Penal Code, 1860.

2. Heard Shri Kiran S.S., learned counsel appearing for the petitioner and Shri Rahul Cariappa, learned Additional Government Advocate appearing for the respondents.

3. The learned counsel appearing for the petitioner submits that the petitioner has been in prison for the last five years and has not sought parole even once. The reason for seeking parole is the house in which the mother of the petitioner resides being in dilapidated condition and the necessity of its repair for which the presence of the petitioner is necessary is the submission.

4. In that light and the offence against the petitioner being 376(3) of the IPC, I deem it appropriate to grant the petitioner general parole for a 30days to begin from 09.04.2025 to 08.05.2025.

5. For the aforesaid reasons, the following:

ORDER

- (i) The Writ Petition is allowed in part.
- (ii) The impugned endorsement bearing No.BCP/CTP-Sec/19731/2025 dated 04.02.2025 issued by respondent No.2 stands quashed.
- (iii) Respondents No.2 and 3 to consider the representation of the petitioner and release the petitioner on general parole for 30days, from the forenoon of 09.04.2025, till the evening of 08.05.2025.
- (iv) The respondents No.2 and 3 shall stipulate strict conditions as are usually stipulated, to ensure the return of the detenue (CTP No.14372) to the gaol and that he shall not commit any other offence during the period of general parole.
- (v) The petitioner (CTP No.14372) shall mark his attendance in 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 petitioner would evade going back to the gaol, after the expiry of the period of general parole.
- (vi) Registry is directed to communicate this order to the respondents, by way of electronic mail, forthwith.
- (vii) 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 general parole.