



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF NOVEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

WRIT PETITION NO. 29234 OF 2024 (GM-POLICE)

BETWEEN:

CHANDRA
S/O DASAYYA
AGED ABOUT 36 YEARS,
R/AT SIDIDEVARAHALLI,
MARALAVADI HOBLI,
KANAKAPURA TALUK,
RAMANAGARA- 562 121

PRESENTLY SERVING SENTENCE IN BENGALURU
CENTRAL PRISON (CTP NO.10824).

...PETITIONER

(BY SRI. PRASANNA KUMAR P. DAROJI, ADVOCATE)

AND:

1. THE CHIEF SUPERINTENDENT
CENTRAL PRISON,
BENGALURU-560 100.
2. THE SUPERINTENDENT OF POLICE
RAMANAGARA DISTRICT,
RAMANAGAR-562 159.
3. THE DIRECTOR GENERAL OF POLICE
PRISONS AND CORRECTIONAL SERVICES
SESHADRI ROAD
BENGALURU-560 003.

...RESPONDENTS

(BY SRI. K.P. PRASANNA, AGA)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ENDORSEMENT DTD. 23.09.2024 VIDE NO. CPB/CTP-SEC/9752/2024 DTD 23.09.2024 ISSUED BY THE R-1 PRODUCED AS ANNEXURE-D AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

ORAL ORDER

The petitioner (CTP No.10824), who has been convicted in SC No.5022/2024 by the learned II Addl. District and Sessions Judge, Ramanagara, at Kanakapura for the offence punishable under Section 302 read with Section 34 of IPC, and sentenced to undergo life imprisonment, is before this Court.

2. The petitioner is seeking for a directive to the respondents-police to release him on parole citing that there is no male member to oversee the agricultural activities of the land, which is standing in the name of his father, and is evident from the record of rights produced at Annexure-B. The petitioner is required to oversee the agricultural activities of the land standing in the name of his father.

3. The petitioner has been in judicial custody for more than eleven years. The petitioner was not released on parole on an earlier occasion. Given the facts and circumstances, the petitioner has established a prima facie case to release him on parole. Accordingly, I pass the following Accordingly, I pass the following:



ORDER

- i) The petition is allowed.
- ii) The impugned endorsement dated 23.9.2024 issued by the respondent No.1 vide Annexure-D is hereby quashed.
- iii) The respondent No.1 is directed to release the petitioner (CTP No.10824) on parole for a period of ninety days from the date of release subject to the condition that the convict shall not involve in any unlawful activities during the period of parole.
- iv) The respondent No.1 is at liberty to impose conditions as are usually stipulated to ensure the return of the convict to the prison, and that he shall not commit any other offence during the period of parole.
- v) The parole granted stands automatically cancelled if the petitioner violates of any of the stipulated conditions.
- vi) The petitioner to mark his attendance with the jurisdictional police on the first day of every week.
- vii) The Registry is directed to communicate this order to the Jail Authority through electronic mail.

Sd/-
(HEMANT CHANDANGOUDAR)
JUDGE