



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 17170 OF 2026 (GM-POLICE)

BETWEEN:

TAHASEEN BANU
D/O AJAZ PASHA
W/O IRFAN KHAN @ KODABU CTP-3388,
AGED ABOUT 34 YEARS,
R/AT 68, WARD NO. 23,
NEAR GOVERNMENT SCHOOL, TIPPU NAGAR,
RAMANAGARAM, KARNATAKA-562159.

...PETITIONER

(BY SRI. MOHAMMAD ZAID AMEEN.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
HOME DEPARTMENT,
THROUGH PRINCIPAL SECRETARY
VIDHANA SOUDHA,
BENGALURU - 560001.

2. CHIEF SUPERINTENDENT
CENTRAL PRISON
BELAGAVI-591108.

...RESPONDENTS

(BY SRI. C.H. DEVARAJ., GA)

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT NO.2 TO RELEASE THE PETITIONERS HUSBAND IRFAN KHAN AT KODABU CTP-3388 ON GENERAL PAROLE FOR A PERIOD OF 90 DAYS AS THE PETITIONER IS SUFFERING FROM KIDNEY STONES WHICH IS EVIDENCED BY THE MEDICAL CERTIFICATE ISSUED BY THE SAKARIA HEALTHCARE AND OWING TO ADVANCED AGE OF CONVICT PARENTS AND POST-OPERATIVE CONDITION FACING HARDSHIP LIKE SUCH AS FINANCIAL STRESS WHICH AFFECTS



BASIC NEEDS AND MENTAL HEALTH PROBLEM. HENCE THE PRESENCE OF THE CONVICT HUSBAND IS ESSENTIAL TO PROVIDE MEDICAL CARE TO THE PETITIONER FOR EFFECTIVE TREATMENT AS WELL AS TO BARE MEDICAL EXPENSES AND ALSO TO STABILIZE THE FAMILY FINANCIAL AFFAIRS AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner who is the wife of the detenu-Irfan Khan @ Kadubu (CTP No.3388) is before this Court seeking for the following reliefs:
 - a. *Direct the Respondent No.2 to release the petitioner's husband IRFAN KHAN @ KODABU CTP-3388 on general parole for a period of 90 days as the petitioner is suffering from Kidney Stones which is evidenced by the Medical certificate issued by the SAKARIA HEATHCARE and Owing to advanced age of convict parents and post-operative condition facing hardship like such as financial stress which affects basic needs and mental health problem. Hence the presence of the convict Husband is essential to provide medical care to the petitioner for effective treatment as well as to bare Medical expenses and also to stabilize the family's financial affairs.*
 - b. *Pass any other order(s) which this court may deem fit and proper under the facts and circumstances of the case, in the interest of justice.*
2. The detenu had been convicted in S.C.No.35/2015 for offences under Section 302, 120(B), 506 R/W 149 of IPC by the I Additional District and Sessions



Judge, Ramanagara and sentenced on 12.12.2017 with the highest of the sentence being imprisonment for life. The detenu has served a period of 10 years 8 months 5 days of imprisonment as on 18.05.2026 and his conduct in jail is said to be satisfactory. The detenu had earlier been granted Court parole for 30 days. The petitioner having made an application for parole, the same came to be rejected on account of adverse report having received by the police.

3. A perusal of the police report indicates that it deals with the conviction of the detenu and does not cover any issue as regards the petitioner is at flight risk and/or could cause any harm or injury to the victim/s or victim/s causing any harm to the detenu.
4. In that view of the matter, taking into consideration the conduct of the detenu has been satisfactory while incarcerated, there is no particular complaint against the detenu, I pass the following:

ORDER

- i. The Writ Petition is ***allowed***.
- i. Respondent – Chief Superintendent Central Prison, Belagavi is directed to release the detenu- Irfan Khan @ Kadubu (CTP No.3388) on parole for a period of 90 days



commencing from 22.07.2026, subject to the following conditions:

- a. The detenu 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 them to gaol, in the event, the detenu would evade going back to the gaol, after the expiry of the period of parole.
- b. Respondent No.1- State of Karnataka shall stipulate strict conditions as are usually stipulated to ensure return of the detenu to the gaol and that he shall not commit any other offence during the period of parole.
- ii. The Registry is directed to communicate the order to the prison authority for its immediate execution.
- iii. The petitioner and family members of the detenu are directed to comply with all other formalities before the date fixed for release.

SD/-
(SURAJ GOVINDARAJ)
JUDGE