



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.35704 OF 2025 (GM-POLICE)

BETWEEN:

SRI.LAKSHMANA RAO
AGED ABOUT 39 YEARS
S/O HANUMANTH RAO
R/O KURUBARAPETE
6TH WARD, SIDLAGHATTA TOWN
SIDLAGHATTA TALUK
CHIKKABALLAPURA DISTRICT

NOW IN CENTRAL PRISON
HAVING CTP NO.12285
BENGALURU - 560 100

...PETITIONER

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by NAGARAJA
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Location: HIGH
COURT OF
KARNATAKA

(BY SRI. D.NAGARAJA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF HOME AFFAIRS
VIDHANA SOUDHA
BENGALURU - 560 001
2. THE CHIEF SUPERINTENDENT
CENTRAL PRISON
PARAPPANA AGRAHARA
BENGALURU- 560 100



3. THE SUPERINTENDENT OF POLICE
CHIKKABALLAPURA DISTRICT
CHIKKABALLAPURA
4. THE DIRECTOR GENERAL OF POLICE
KARNATAKA PRISON AND CORRECTIONAL SERVICES
SHESHADRI ROAD
GANDHINAGAR
BENGALURU - 560 009

...RESPONDENTS

(BY SRI.ADITHYA DIWAKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER/ENDORSEMENT DATED 09.01.2025 PASSED BY THE RESPONDENTS AS PER ANNEX-A AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The petitioner calls in question the impugned endorsement dated 09.01.2025 issued by the respondents, whereby the request for grant of parole has been rejected on the ground that the release of the petitioner-convict may give rise to a law and order situation.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Advocate appearing for the respondents. Perused the material on record.

3. The Imprisonment Certificate dated 13.12.2024 discloses that the petitioner has undergone incarceration for a period of 6 years, 3 months and 15 days as on December 2024. Thus, it is evident that the petitioner has completed nearly 6½ years of imprisonment without availing parole during the said period.

4. In the case on hand, the material on record indicates that the conduct of the detainee during incarceration has been satisfactory and no adverse remarks have been recorded against him. The adverse report submitted by the Superintendent of Police is founded solely on a general apprehension that the detainee may pose a threat to law and order if released on parole. In the considered view of this Court, such apprehension is



speculative in nature and is not supported by any cogent material. It is well settled that a mere apprehension, in the absence of substantive material, cannot constitute a valid ground to deny parole, particularly when the convict has not availed parole for a considerable period.

5. This Court is of the view that any perceived risk can be effectively addressed by imposing appropriate and stringent conditions, including restriction on movement, direction to report before the jurisdictional police at regular intervals, and prohibition from contacting the victim's family.

6. For the aforesaid reasons, this Court is satisfied that the petitioner has made out a case for grant of parole, and the apprehension expressed in the adverse report can be adequately mitigated by imposing suitable conditions.

7. Accordingly, this Court proceeds to pass the following:



ORDER

- (i) The writ petition is allowed;
- (ii) The impugned order/endorsement dated 09.01.2025 passed by the respondents as per Annexure-A is hereby quashed.
- (iii) The respondents are directed to release the convict by name Lakshmanarao bearing CTP No.12285, on general parole for a period of 30 (thirty) days from the date of his release;
- (iv) The release shall be subject to the Detenue furnishing an undertaking that he shall not indulge in any unlawful activities during the period of parole and shall maintain good conduct;
- (v) The respondents shall impose stringent conditions, including but not limited to: requiring the Detenue to report before the jurisdictional police at periodic intervals, restricting his movement, and ensuring that he does not, directly or indirectly, make any contact with the victim or his family members;



- (vi) The Detenue shall surrender before the jurisdictional prison authorities immediately upon expiry of the parole period, failing which appropriate action shall be taken in accordance with law;
- (vii) Any violation of the conditions imposed shall entail immediate cancellation of parole;
- (viii) Liberty is reserved to the petitioner to seek extension of parole, if permissible in law;
- (ix) The Registry is directed to communicate this order forthwith to the concerned prison authorities, including by electronic mode, for immediate compliance.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE