HC-KAR

NC: 2025:KHC:53297
WP No. 2281 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 2281 OF 2025 (GM-POLICE)

BETWEEN:

SOWMYA
W/O KRISHNA J M
WIFE OF PRISONER
KRISHNA J M
S/O LATE MARIGOWDA
CTP NO. 13817
AGED ABOUT 35 YEARS,
R/O JAKKEGOWDAANA DODDI
SATHNURU HOBLI, KANAKPURA
THALUK, ACHALU RAMANAGAR
KARNATAKA - 562117

...PETITIONER

(BY SMT. UMME SALMA.,ADVOCATE)

AND:

Digitally signed by SHWETHA RAGHAVENDRA
Location: HIGH COURT OF KARNATAKA

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

2. THE CHIEF SUPERINTENDENT
   CENTRAL PRISON,
   PARAPPANA AGRAHARA
   BANGALORE - 560100.

...RESPONDENTS

(BY SMT. K.P. YASHODHA., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE

RESPONDENT NO.2 TO RELEASE THE HUSBAND OF THE PETITIONER KRISHNA JM CTP NO.13817 ON GENERAL PAROLE FOR A PERIOD OF 90 DAYS IN THE INTEREST OF JUSTICE AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner-wife of detenu-Krishna J.M. [CTP No.13817] is before this Court seeking for the following reliefs;

   a. *Direct the Respondent No.2 to release the husband of the petitioner Krishna JM CTP No.13817 on General Parole for a period of 90 days in the interest of justice.*

   b. *Pass an 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.5046/2019 for offences under Section 302 of IPC by the II Additional District and Sessions Judge, Ramanagara, sitting at Kanakapura and sentenced on 11.08.2023 with the highest of the sentence being imprisonment for life. The detenu has served a period of 4 years 11 months 23 days of imprisonment as on 3.12.2024

and his conduct in jail is said to be satisfactory. The detenu having made an application for parole on the ground of carrying house repair, same came to be rejected on account of adverse police report.

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 being at flight risk and or could cause any harm or injury to the victim/s or victim/s causing any harm to the detenu. The detenu had earlier been released on parole for three months on one occasion and the detenu had surrendered to the police authorities without any complaints. 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***.

ii) Respondent–Chief Superintendent, Central Prison, Bangalore, is directed to release the detenu- Krishna J.M. [CTP No.13817] on parole for a period of 60 days commencing from 22.12.2025, subject to the following conditions:

a) The prisoner- Krishna J.M. [CTP No.13817] 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 convict 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.

iii) The Registry is directed to communicate the order to the prison authority for its immediate execution.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

LN
List No.: 2 Sl No.: 9