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. 35321 OF 2025 (GM-POLICE)

BETWEEN:

SRI LACHCHA NAIK,
S/O LATE SOMLA NAIK,
AGED 64 YEARS
R/AT MARENADU PALYA, HULIYAR HOBLI,
CHIKKANAYAKANAHALLI TALUK,
TUMAKURU DISTRICT-572218
(SENIOR CITIZEN BENEFIT NOT CLAIMED)

THE PETITIONER IS THE FATHER OF THE CONVICT PRISONER NO 13128 SURESH NAIK WHO IS SERVING LIFE SENTENCE IN BALLARI CENTRAL PRISON.

...PETITIONER

(BY SRI. PRATHAP S S, DVOCATE)

AND:

1. THE UNION OF INDIA
   REP BY THE UNDER SECRETARY, JUDICIAL WING,
   GOVERNMENT OF INDIA, MINISTRY OF HOME AFFAIRS,
   HALL NO 17, 2ND FLOOR,
   MAJOR DHYAN CHAND NATIONAL STADIUM,
   INDIA GATE NEW, DELHI-110002

2. THE STATE OF KARNATAKA
   BY THE PRINCIPAL SECRETARY, HOME DEPARTMENT
   VIDHANA SOUDHA, BENGALURU-560001

3. THE LIFE CONVICTS PREMATURE
   RELEASE COMMITTEE, HOME DEPARTMENT
   VIDHANA SOUDHA, BENGALURU-560001
   REPRESENTED BY ITS CHAIRMAN

Digitally signed by SHWETHA RAGHAVENDRA
Location: HIGH COURT OF KARNATAKA

4. THE DIRECTOR GENERAL OF POLICE
PRISONS AND CORRECTIONAL SERVICES
NO. 9 SHESHADRI ROAD, GANDHI NAGAR
BENGALURU-560009

5. THE SUPERINTENDENT CENTRAL
PRISON, BALLARI-583101

…RESPONDENTS

(BY SMT.K.P.YASHODHA, AGA FOR R2 TO R5;
SRI. MALLANAGOUDA H, ADVOCATE FOR R1)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTION IN THE NATURE OF MANDAMUS TO THE R-5 TO RELEASE THE PRISONER NO. 13128 SURESH NAIK S/O LACHCHA NAIK ON PAROLE TILL THE FINAL DECISION OF THE AUTHORITIES IN THE INTEREST OF JUSTICE AND EQUITY.

THIS 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 father of the detenu Suresh Naik (CTP No.13128) is before this Court seeking for the following reliefs:

a. Issue a writ, order or direction in the nature of mandamus to the r-5 to release the prisoner no. 13128 Suresh Naik S/O Lachcha Naik on parole till the final decision of the authorities in the interest of justice and equity.

b. Pass such other orders/ directions considering the facts and circumstances of the case together as to costs in the interest of justice.

2. Learned AGA on instructions submits that the Advisory Board has recommended for premature release of the detenu which has been confirmed by the Life Convicts Release Committee (LCRC) and now the matter is pending before Ministry of Home affairs.

3. Learned counsel for respondent No.1 submits that certain clarification having been sought for from respondent No.2, those clarifications once received necessary order would be passed by respondent No.1.

4. Learned AGA submit that the clarification would be provided within 15 days from the date of receipt of copy of this order. In that view of the matter, I pass the following;

ORDER

i. The writ petition is ***allowed***.

ii. Respondent No.4-The Superintendent, Central Prison, Ballari is directed to release the

petitioner on general parole commencing from 22.12.2025 till the final orders are passed by the Ministry of Home affairs by imposing usual conditions.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

SR
List No.: 2 Sl No.: 33