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. 35947 OF 2025 (GM-POLICE)

BETWEEN:

SMT CHINAMMA
W/O H K SHIVANNA,
AGE ABOUT 57 YEARS,
R/AT BEGUR HOBLI,
HIRIKATI VILLAGE, GUNDLUPET TALUK
CHAMARAJANAGAR DISTRICT - 571109
(MOTHER OF CONVICT,
CURRENTLY SERVING LIFE IMPRISONMENT IN CENTRAL
PRISON MYSURU CONVICT PRISONER NO 19126)

...PETITIONER

(BY SRI. VIJAYA PRASAD, ADVOCATE)

AND:

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

2. THE DIRECTOR GENERAL OF POLICE
PRISONS AND CORRECTIONAL SERVICES
NO.09 SHESHADRI ROAD, GANDHINAGAR,
BENGALURU - 560009

3. THE CHIEF SUPERINTENDENT
CENTRAL PRISON MYSURU,
ASHOKA ROAD, NEAR FOUNTAIN CIRCLE,
MYSURU - 570007

...RESPONDENTS

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

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT ORDER OR DIRECTION IN THE NATURE OF MANDAMUS TO THE RESPONDENTS

Digitally signed by SHWETHA RAGHAVENDRA
Location: HIGH COURT OF KARNATAKA

TO GRANT GENERAL PAROLE OF 90 DAYS TO THE CONVICT VISHWA @ VISHWAMURTHY S/O H K SHIVANNA (CTP NO. 19126).

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 mother of the detenu-Vishwa @ Vishwamurthy-CTP.No.19126, is before this Court seeking for the following reliefs:

   a. Issue a writ order or direction in the nature of mandamus to the respondents to grant general parole of 90 days to the convict Vishwa @ Vishwamurthy S/O H K Shivanna (CTP No. 19126).

   b. Pass such other order/s directions considering the facts and circumstances of the case, together with costs in the interest of justice.

2. The detenu had been convicted in S.C.No.66/2015 for offence punishable under Section 302 of IPC by the II Additional District and Sessions Judge, Mysuru and sentenced on 11.07.2017 with the highest of the sentence being imprisonment for life. The detenu has served a period of 10 years 28 days of imprisonment as on 27.04.2025 and his conduct in jail is said to be satisfactory. 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 being a 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 been released on parole on multiple occasions for a period of 5 months 29 days, during that time the conduct of the detenu has been satisfactory and there is no particular complaint against the detenu. In that view of the matter, I pass the following:

ORDER

i) The Writ Petition is ***allowed***.

ii) Respondent–Chief Superintendent, Central Prison, Mysuru, is directed to release the detenu-Vishwa @ Vishwamurthy-CTP.No.19126

on parole for a period of 90 days commencing from 22.12.2025, subject to the following conditions:

a) The prisoner-Vishwa @ Vishwamurthy-CTP.No.19126 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

KTY
List No.: 2 Sl No.: 43