HC-KAR

NC: 2026:KHC:21148
WP No. 9771 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 9771 OF 2026 (GM-POLICE)

BETWEEN:

1. SRI D.R. THIPPAIAH
   S/O D. RAMAKRISHNAPPA
   AGED 41 YEARS
   R/AT 1-76, GUNJARLA PALLE, SHANTHIPURAM,
   CHITTOOR, ANDHRA PRADESH-517423.

   THE PETITIONER IS THE BROTHER
   OF THE CONVICT PRISONER
   NO 7793, SHANKAR
   WHO IS SERVING LIFE SENTENCE
   IN BENGALURU CENTRAL PRISON.

   ...PETITIONER

(BY SRI. PRADEEP PATIL, ADVOCATE)

Digitally signed by NAGARAJA B M
Location: HIGH COURT OF KARNATAKA

AND:

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

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

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

4. THE CHIEF SUPERINTENDENT
CENTRAL PRISON, PARAPPANA AGRAHARA
BENGALURU-560100.

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING FOR DIRECTION IN THE NATURE OF MANDAMUS TO THE RESPONDENTS TO BE PLEASED TO ACT IN STRICT COMPLIANCE OF THE NOTIFICATION BEARING NO. HD 119 PRA 2018, BENGALURU, DATD 21.04.2020 PRODUCED AS ANNEXURE-A AND BE FURTHER PLEASED TO DIRECT THE RESPONDENTS TO CONSIDER THE CASE OF THE PRISONER NO. 7793 SHANKAR S/O RAMAKRISHNAPPA FOR PREMATURE RELEASE IN TERMS OF THE ANNEXURE-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 who is the brother of the convict namely Shankar, who is serving life sentence in Bengaluru Central Prison has filed the captioned petition seeking following reliefs:

> *"a. Issue a Writ, Order or direction in the nature of mandamus to the Respondents to be pleased to act in strict compliance of the Notification bearing No. HD 119 PRA 2018, Bengaluru, dated 21.04.2020 produced as Annexure-A and be further pleased to direct the*

respondents to consider the case of the prisoner No.7793 Shankar S/o Ramakrishnappa for premature release in terms of the Annexure-A.

b. Issue a Writ, Order or direction in the nature of mandamus to the Respondents to release the Prisoner No.7793 Shankar S/o Ramakrishnappa on parole till the decision of the Government in the interest of justice and equity.

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

The detenue stands convicted for the offence punishable under Section 302 of the Indian Penal Code, 1860, in S.C. No.5050/2013, and is presently undergoing a sentence of imprisonment for life. It is not in dispute that the detenue has already undergone incarceration for a period of 11 years actual sentence and more than 14 years and 2 months including remission.

2. The detenue has sought premature release. The Advisory Board, upon consideration, has recommended/approved the case of the detenue for such premature release. The matter is presently pending

consideration before the Life Convicts Release Committee (LCRC).

3. The petitioner has placed reliance on the order passed by the Co-ordinate Bench of this Court in ***Venkatesh vs. State of Karnataka and others [W.P. No.17178/2025, dated 11.11.2025],*** wherein, in similar circumstances, this Court, taking note of the fact that the detenue therein had undergone more than 11 years, 5 months and 9 days of sentence and that the Advisory Board had recommended premature release, directed that the detenue be released on parole till the LCRC takes a final decision.

4. Having regard to the consistent view taken by this Court in similar matters, and taking note of the fact that the Advisory Board has already approved the case of the present detenue for premature release, this Court is of the considered view that the petitioner is entitled to similar relief.

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

ORDER

(i) The writ petition is allowed.

(ii) Respondent No.4 is directed to release Convict No.7793, Shankar S/o Ramakrishnappa, on general parole, subject to usual conditions, pending consideration and final decision by respondent Nos.1 and 2 (LCRC).

(iii) It is made clear that such release shall be purely interim in nature and shall be subject to the outcome of the decision to be taken by the LCRC.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

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