IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.12603 OF 2026 (GM-POLICE)

BETWEEN:

PREETI ANAND KOUJALAGI
C/O ANAND KOUJALAGI
AGED ABOUT 20 YEARS
R/AT WARD NO.3, MUDHOL TALUQ
SAIDAPUR POST
BAGALKOT DISTRICT
KARNATAKA - 587312

(MUTHAPPA BASAPPA SAVADI
CONVICTED PRISONER - 14001)

...PETITIONER

(BY SRI.RAKSHITH R, ADVOCATE)

AND:

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

2. SUPERINTENDENT OF POLICE
CENTRAL PRISON
PARAPANA AGRAHARA
BENGALURU - 560100

...RESPONDENTS

(BY SRI.VIKAS ROJIPURA, AGA)

Digitally signed by CHAITHRA A
Location: HIGH COURT OF KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER OF R2 BEARING NO.BCP/J3/1109/2026 DATED 16/03/2026 AT ANNX-A AND ALLOW RELEASE PETITIONERS FATHER MUTHAPPA BSAPPA SAVADHI (CTP NO.14001) ON PAROLE.

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 daughter of a convict, has filed the captioned writ petition seeking directions against the respondents to grant parole to the convict.

2. Heard learned counsel appearing for the petitioner and learned AGA.

3. The material on record would indicate that the convict, who stands sentenced to imprisonment for life for the offence of having caused the death of his wife, is presently lodged in the Central Prison, Bengaluru. The custody certificate placed before this Court reveals that the convict has undergone incarceration for a period of 9

years, 8 months and 21 days as on 06.04.2026. The application submitted by the convict seeking grant of parole has been declined by the competent Authority primarily on two grounds, namely: (i) that there exists a likelihood of the convict violating the conditions of parole; and (ii) that in view of the nature of the offence, there is an apprehended threat to the life of the convict at the hands of the victim's family members.

4. This Court has carefully examined the reasons assigned by the Authority in light of the records made available. It is evident that the rejection of parole is founded more on conjectural apprehensions than on any tangible or cogent material. The opposition to the grant of parole, as reflected in the records, appears to be omnibus in nature, without substantiating the alleged risks by reference to any past conduct or specific incident attributable to the convict.

5. At the outset, it requires to be emphasized that parole is not a matter of largesse or charity, but is an integral component of the reformative theory of punishment, which has received constitutional imprimatur as part of a humane and progressive criminal justice system. The underlying object of parole is to enable a convict to preserve familial and social ties, attend to pressing personal exigencies, and facilitate gradual reintegration into society.

6. In the present case, the fact that the petitioner being the daughter of the convict has approached this Court seeking his release on parole, prima facie, indicates that the familial bonds between the convict and his children continue to subsist notwithstanding the unfortunate incident culminating in the conviction. This circumstance assumes significance while assessing the necessity and propriety of temporary release.

7. The grounds cited by the Authority, namely, a mere apprehension that the convict may violate parole conditions or that there exists a threat to his life, cannot, in the absence of credible supporting material, constitute valid reasons to deny parole. Such speculative considerations, if accepted, would defeat the very object of parole jurisprudence.

8. In the case on hand, it is not in dispute that the convict had been released on parole on an earlier occasion and had scrupulously adhered to all conditions imposed, surrendering before the prison authorities upon expiry of the parole period without any infraction. The imprisonment record does not disclose any adverse remarks or instances of misconduct. On the contrary, the conduct of the convict during incarceration is stated to be satisfactory. No untoward incident has been reported either during his previous release or within the prison.

9. In that view of the matter, this Court is of the considered opinion that the apprehensions expressed by the Authority can be adequately safeguarded by imposing stringent and tailor-made conditions. A blanket denial of parole in such circumstances would be disproportionate and contrary to the settled principles governing grant of parole.

10. Accordingly, in the facts and circumstances of the case, this Court is satisfied that the petitioner has made out a case warranting interference and that the convict is entitled to be enlarged on parole, subject to strict compliance of conditions.

11. In the above backdrop, this Court proceeds to pass the following:

ORDER

(i) The writ petition is allowed;

(ii) The respondents are directed to release the convict, Muthappa Basappa Savadi,

bearing CTP No.14001, on general parole for a period of 90 (ninety) days from the date of his actual release;

(iii) The release shall be subject to the detenue furnishing an undertaking to the satisfaction of the competent Authority that he shall maintain good conduct and shall not indulge in any unlawful activities during the period of parole;

(iv) The respondents are at liberty to impose stringent conditions, including but not limited to:

(a) requiring the detenue to report before the jurisdictional police at periodic intervals;

(b) regulating and restricting his movement;

(c) ensuring that the detenue does not, directly or indirectly, establish any contact with the victim's family members;

(v) The respondents shall also take appropriate measures to ensure the safety and

security of the detenue, in view of the apprehended threat projected by the Authority;

(vi) The detenue shall surrender before the jurisdictional prison authorities immediately upon expiry of the parole period, without fail;

(vii) Any violation of the conditions imposed shall entail immediate cancellation of parole, in accordance with law;

(viii) Liberty is reserved to the petitioner to seek extension of parole, if permissible under law and subject to fresh consideration by the competent Authority;

(ix) The Registry is directed to communicate this order forthwith to the concerned prison authorities, including by electronic mode, to ensure expeditious compliance.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

NBM
List No.: 1 Sl No.: 11