HC-KAR

NC: 2026:KHC:22402
WP No. 12877 of 2026

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. 12877 OF 2026 (GM-POLICE)

BETWEEN:

SRI. BASAVARAJU
S/O MALLESHA,
AGED 33 YEARS
R/AT HARADANAHALLI,
HULLAHALLI HOBLI, NANJANGUD TALUK,
MYSORE - 571 314.

...PETITIONER

(BY SRI. PRADEEP PATIL, ADVOCATE)

AND:

Digitally signed by CHAITHRA A
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
   BY THE PRINCIPAL SECRETARY,
   HOME DEPARTMENT,
   VIDHANA SOUDHA,
   BENGALURU - 560 001.

2. THE LIFE CONVICTS RELEASE COMMITTEE
   HOME DEPARTMENT
   VIDHANA SOUDHA
   BENGALURU - 560 001,
   REPRESENTED BY ITS CHAIRMAN.

3. THE DIRECTOR GENERAL OF POLICE
PRISONS AND CORRECTIONAL SERVICES
NO. 9, SHESHADRI ROAD, GANDHI NAGAR
BENGALURU - 560 009.

4. THE CHIEF SUPERINTENDENT
CENTRAL PRISON,
MYSORE - 570 007.

…RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF MANDAMUS TO THE RESPONDENT NO 1 AND 2 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 RESPONDENT NO 1 TO CONSIDER THE CASE OF THE PRISONER NO 19483 SHIVANNA S/O LATE DODDATHAMYA 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 captioned petition is filed seeking direction against respondents to consider the case of prisoner namely, Shivanna for premature release in terms of the recommendations made by the advisory board.

2. Learned counsel for the petitioner today has placed on record the proceedings of LCRC Committee, which has already recommended for premature release vide notification dated 31.03.2026.

3. The petitioner has also 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 14 years 10 months 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. Learned AGA, has gone through the proceedings of LCRC and he fairly concede that it is for the first respondent state to pass appropriate orders on these recommendations made by advisory board as well as LCRC.

5. 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.

6. 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.19483, Shivanna, 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

HDK
List No.: 1 Sl No.: 17