



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI
WRIT PETITION NO. 15394 OF 2026 (GM-POLICE)

BETWEEN:

SRI. HARISH H.B
S/O BYRAPPA @ SHIVALINGAIAHYARA BYRAPPA,
AGED ABOUT 37 YEARS,
(CTP NO. 14693)
CURRENTLY SERVING HIS SENTENCE
IN CENTRAL PRISON, BENGALURU
PERMANENT ADDRESS
HOSAKERE VILLAGE, AMRUTHUR HOBLI,
KUNIGAL TALUK, TUMKUR - 572 111.

...PETITIONER

(BY SRI. NAVEEN J, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF HOME, VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE CHIEF SUPERINTENDENT OF PRISON
CENTRAL PRISON, PARAPPANA AGRAHARA,
ELECTRONIC CITY POST,
BENGALURU - 560 100.





3. THE DIRECTOR GENERAL
PRISONS AND CORRECTIONAL SERVICES,
KARNATAKA STATE,
ADDRESS NO.4, SHESHADRI ROAD,
GANDHINAGAR, BENGALURU - 560 009.

4. THE SUB-INSPECTOR OF POLICE
AMRUTHUR POLICE STATION
ADDRESS KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 111.

...RESPONDENTS

(BY SRI. HARISHA A.S, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-QUASH THE IMPUGNED ENDORSEMENT DATED 06.05.2026 ISSUED BY THE RESPONDENT NO.2 IN LETTER NO. BCP/J3/818/2026 VIDE ANNEXURE-B AND CONSEQUENTLY, TO DIRECT RESPONDENT NO.2 TO RELEASE THE PETITIONER ON EMERGENCY PAROLE FOR A PERIOD OF 90 DAYS AND ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL ORDER

The present writ petition is filed seeking the following prayer:-

- i. Issue a Writ of Certiorari or other appropriate writ or order seeking to quash the impugned endorsement dated 06.05.2026 issued by the respondent No.2 in Letter No.BCP/J3/818/2026 vide Annexure-B and consequently, to direct Respondent No.2 to release the petitioner on emergency parole for a period of 90 days.
- ii. Pass any such other order/s as this Hon'ble Court deems fit under the facts and circumstances of the case, in the interest of justice and equity.

2. The petitioner was convicted in SC No. 184/2011 by the learned III Additional District and Sessions Judge, Tumakuru for the offences punishable under Sections 307, 114 and 37 of the IPC arising out of Crime No.0013/2011 and was sentenced to undergo rigorous imprisonment for a period of 5 years and since then he is in judicial custody.



3. The petitioner has made an application on 24.04.2026 before respondent No.2 seeking his release on emergency parole to attend the medical condition of his son. Respondent No.4 has submitted a report stating that if the petitioner is released he may create nuisance in the village and there are other family members who can take care of the medical necessities of the child. Basing on the said report, respondent No.2 has rejected the petitioner's case for emergency parole. Aggrieved thereby, the petitioner is before this Court.

4. Learned counsel appearing for the petitioner submits that without any basis, a report is submitted by respondent No.4 and respondent No.4 has assumed and presumed things without any material. It is submitted that considering the health condition of the child, his presence is very much necessary and the second respondent ought to have granted the parole.



5. Learned AGA submits that basing on the 4th respondent's report, the second respondent has rejected the petitioner's case for parole and it is submitted that as there are other family members to take care of the child, there is no necessity of his presence.

6. Having heard the counsels on either side, perused the material on record, the whole basis for the second respondent to reject the case of the petitioner seeking parole is that the petitioner may cause nuisance and there are other family members to take care of the medical necessities of the child. The said report of the 4th respondent appears to be without any basis and without any material. Nothing has been disclosed about any previous conduct or on what basis the respondent No. 4 is of the view that he would cause nuisance. Considering the fact that the son is aged about 7 years and there is a medical requirement.

Under the above circumstances, this court is pass the following:-



ORDER

- i) The Writ Petition is ***allowed*** granting a parole of 15 days to the petitioner.
- ii) The respondents are directed to release the convict bearing CTP No.4221 on parole for a period of 15 days from the date of release, subject to the detinue furnishing an undertaking that he shall not indulge in any unlawful activities during the period of parole;
- iii) The respondents shall impose such stringent conditions as are ordinarily stipulated, including conditions to ensure the timely surrender of the detinue upon expiry of the parole period;
- iv) Any violation of the conditions imposed shall entail cancellation of parole forthwith;
- v) The Registry is directed to communicate this order to the jurisdictional prison



authorities forthwith, including by electronic mode.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**

VS
List No.: 1 Sl No.: 4