HC-KAR

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 7TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.201731 OF 2026 (GM-POLICE)

BETWEEN:

SRI. SEGABANDI BHASKARA CHARY
S/O SEGABANDI CHANDRAIAH CHARY
AGED ABOUT 37 YEARS
R/AT NO.404 SUSTRIRALOK
APARTMENT NEW MARUTHI NAGAR,
NAGOLE ROAD, KOTHAPET,
SAROORNAGAR
K. V. RANGAREDDY TELANGANA
HYDERABAD-500035.

…PETITIONER

(BY SRI. CHETHAN S. N, ADVOCATE)

AND:

Digitally signed by SWETA KULKARNI
Location: HIGH COURT OF KARNATAKA

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

2. THE CHIEF SUPERINTENDENT OF PRISON
   CENTRAL PRISON,
   KALABURAGI-585201.

…RESPONDENTS

(BY SRI. VEERANAGOUDA MALIPATIL, AGA FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT SEEKING TO QUASH THE ENDORSEMENT DATED 04-04-2026 ISSUED BY RESPONDENT NO.2 IN NO. KEKAKA/ANVI-I/60/2026 VIDE ANNEXURE-D B) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.2 TO RELEASE THE CONVICTED PRISONER -SEGABANDI BHASKARA CHARI (CTP NO.1178) ON A GENERAL PAROLE FOR A PERIOD OF 90 DAYS AS REQUESTED IN REPRESENTATION DATED 01-04-2025 VIDE ANNEXURE-C C) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.3 TO RELEASE THE CONVICTED PRISONER SEGABANDI BHASKARA CHARI (CTP NO.1178) ON A GENERAL PAROLE FOR A PERIOD OF 90 DAYS AS REQUESTED IN REPRESENTATION DATED 01-04-2026 VIDE ANNEXURE-C D) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.4 TO RELEASE THE CONVICTED PRISONER -SEGABANDI BHASKARA CHARI (CTP NO.1178) ON A GENERAL PAROLE FOR A PERIOD OF 90 DAYS REQUESTED IN REPRESENTATION DATED 01-04-2026 VIDE ANNEXURE-C E) PASS ANY SUCH OTHER ORDER/ SAS THIS HON'BLE COURT DEEMS FIT UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, petitioner seeks the following reliefs:

"a) Issue a writ of certiorari or any other appropriate writ seeking to quash the endorsement dated 04-04-2026 issued by respondent no.2 in no. KEKAKA/NAVI-1/60/2026 vide Annexure-D,

b) Issue a writ of mandamus directing the respondent no.2 to release the convicted prisoner - Segabandi Bhaskara Chari (CTP No.1178) on a general parole for a period of 90 days as requested in representation dated 01-04-2026 vide Annexure-C,

c) Issue a writ of mandamus directing the respondent no.3 to release the convicted prisoner Segabandi Bhaskara Chari (CTP No.1178) on a general parole for a period of 90 days as requested in representation dated 01-04-2026 vide Annexure-C,

d) Issue a writ of mandamus directing the respondent no.4 to release the convicted prisoner - Segabandi Bhaskara Chari (CTP No.1178) on a general parole for a period of 90 days requested in representation dated 01-04-2026 vide Annexure-C,

e) Pass any such other order/ sas this hon'ble Court deems fit under the facts and circumstances of the case"

2. A perusal of the material on record will indicate that the petitioner is a convicted prisoner, undergoing imprisonment vide judgment dated 05.03.2024 passed in Special Case No.01/2022 and has been in judicial custody from 17.03.2024 onwards. It is an undisputed fact and a matter of record that the petitioner has preferred an appeal before this Court which is pending adjudication in Criminal Appeal No.200148/2024 before this Court.

3. The petitioner filed a request before the respondents seeking parole for the purpose of taking care of his wife and his mother, both of whom have ailments and medical issues, as well as financial constraints and emotional distress caused to the petitioner's family, comprising of his wife, mother and minor daughter. The said request of the petitioner was rejected by the respondent No.2, vide impugned endorsement at Annexure-D dated 04.04.2026, on the ground that there is

one more case pending against the petitioner herein in Special Case No.60/2025 under Sections 44 and 45 of the Prevention of Money Laundering Act, 2002, as a result of which the petitioner was not entitled for grant of parole, in view of Rule 191(2) (j) (i) of the Karnataka Parole Guidelines and Rule 191 (2)(iii)(a)(b) of the Karnataka Prisons and Correctional Services Manual 2022. Aggrieved by the impugned endorsement and requesting for grant of parole on medical/health grounds of his mother and wife, the petitioner is before this Court by way of the present petition.

4. *Per contra,* learned Additional Government Advocate submits that there is no merit in the petition and that the same is liable to be dismissed.

5. A perusal of the impugned endorsement will indicate that the respondents have rejected the request of the petitioner for grant of parole, placing reliance on the aforesaid provisions contained in the parole guidelines and prison's manual, relied upon by the respondents. In this

context, perusal of the aforesaid provisions will clearly indicate that the petitioner may not be entitled to seek general parole, in the event, sentence of imprisonment is in excess of 7 years, which are pending against the petitioner. In the instant case, in Special Case No.60/2025 initiated against the petitioner, is for the alleged offence under Sections 44 and 45 of Prevention of Money Laundering Act, 2002, for which maximum punishment prescribed is up to 7 years, thereby leading to the unmistakable conclusion that the aforesaid provisions/rules relied upon by the respondents were clearly not applicable to the facts of the instant case, nor would the same come in the way or operate as a bar for considering grant of parole in favour of the petitioner, who seeks to attend to his ailing wife and mother, as well as take care of his minor daughter, if parole was granted in his favour.

6. In the case of ***Smt. Kantamma v. The Director General of Police and Ors, WP***

No.202485/2026 dated 03.07.2026, this Court has held as under:

" ***ORAL ORDER***

In this petition, petitioner seeks the following relief.

"(a). Issue a Writ Order or direction in the nature of mandamus to the Respondents to extend the general parole to Convict Prisoner No.1028 Tirupati S/o Kamanna Chigarihal for another 60 days.

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

2. Heard the learned counsel for the petitioner, learned Additional Government Advocate for respondents and perused the material on record.

3. A perusal of the material on record will indicate that the petitioner is a convict, bearing CDP No.1028 and serving life sentence in Central Prison, Kalaburagi. In pursuance of a report at Annexure-C dated 20.01.2026, the petitioner's son was initially granted parole for a period of 30 days vide Annexure-D order dated 05.05.2026. Subsequently, the petitioner requested for extension of parole

interalia contending that on account of the ill- health and medical problems/ ailments of his mother, who is alone and has no one to take care of her, the period of parole may be extended by a further period of 60 days in terms of clause 640 of the Parole Rules framed under Section 55 of the Karnataka Prisons Act, 1963 and Rule 191 of the Karnataka Prisons Rules, 1974, which read as under:

"640. Maximum Period of General Parole and authority to grant general parole;

i. General Parole shall be granted to the convict prisoner initially for a period of not exceeding 30 days which may be extended up to another 60 days but not exceeding total period of 90 days;

ii. Director General of Prisons and Correctional Services should be competent authority to grant the General Parole."

4. It is the grievance of the petitioner that despite the ill-health of his mother and her requirement of the petitioner being along with her and giving company and to attend to her medical problems, the respondents have rejected the parole extension request of the petitioner's son who is before this Court by way of the present petition placing reliance

upon the judgment of this Court in the case of ***Smt. Ayesha Siddique V/s the Director General of Police Prisons and Correctional Services****, in WP No.18272/2026 dated 18.06.2026 at Annexure-G, wherein it is held as under:*

"ORAL ORDER

1. The petitioner, the wife of Nadim Pasha, CTP No.1294, is before this Court seeking for the following reliefs:

"(a) Issue a Writ Order or direction in the nature of mandamus to the Respondent No.2 The Chief Superintendent, Central Prison Mysore to release the convict No.1294 Nadim Pasha S/o Iliyaz Pasha on general parole for a period of 60 days.

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

2. On an earlier occasion, when the petitioner had approached this Court, a Co-ordinate Bench of this Court, vide order dated 01.04.2026 in WP No.8664/2026, had granted general parole for a period of 30 days. On the expiry of the said period of 30 days, the detenue surrendered before the jail authorities.

3. There is no complaint against the detenue from the jail authorities. Thereafter, the present petition has been filed seeking a further period of parole of 60 days, contending that a detenue would be entitled to a maximum of 90 days' parole in a year. Apart therefrom, it is contended that the petitioner has been diagnosed with certain thyroid issues requiring surgery and for that purpose the detenue needs to be with her, being her husband.

4. Upon peruse of the records, it is seen that this Court, by its order dated 01.04.2026 in WP No.8664/2026, granted general parole for a period of 30 days.

5. The learned Additional Government Advocate on instructions submits that there is no complaint against the detenue during the said period of parole.

6. Considering that a surgery is now to be performed on the wife of the detenue, I am of the considered opinion that the detenue, being entitled for 90 days' parole in a year, can be granted 60 days' additional parole on the same terms and conditions as those imposed in the earlier order.

7. The respondent is directed to release the detenue on parole commencing from 24.06.2026."

5. Per contra, learned Additional Government Advocate would support the impugned parole extension rejection order and submits that there is no merit in the petition and the same is liable to be dismissed.

6. A perusal of the material on record including the earlier communication at Annexure-C dated 20.01.2026 will indicate that the ill-health and ailment of the petitioner who is none other than the mother of the detenue has been recognised by the respondents themselves, who thought it fit to grant parole for a period of 30 days, which has expired. However, having regard to the specific contention of the petitioner, who is none other than the mother of the convict that her health condition has deteriorated and that she requires the company of her son in the convict/ detenue to attend to her and take her to hospital and take care of her medical requirements and in the light of the judgment of this Court in the case of ***Smt. Ayesha Siddique V/s the Director General of Police Prisons and Correctional Services.*** *I deem it appropriate to set aside the order at Annexure-E dated 02.06.2026 and grant extension of parole in favour of the convict prisoner CTP No.1028. Tirupati S/o Kamanna Chigarihal for a period of 60 days commencing from 08.07.2026 to 08.09.2026.*

7. In view of the aforesaid reasons, I pass the following:

ORDER

(i) The Writ Petition is ***allowed-in-part.***

(ii) Petitioner's son – detenue (Tirupati S/o Kamanna Chigarihal) (CTP No. 1028) is granted general parole for a period of 60 days, which becomes operational from ***08.07.2026 to 08.09.2026.***

(iii) The convict (CTP No.1028) 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 him to gaol, in the event, the convict (CTP No.1028) would evade going back to the gaol, after the expiry of the period of general parole.

(iv) ***Respondent No.2*** *shall stipulate strict conditions as are usually stipulated, to ensure return of the detenue to the gaol and that the convict shall not commit any other offence during the period of parole.*

(v) Registry is directed to communicate this order to ***respondent No.2,*** *by way of electronic mail, forthwith.*

(vi) The petitioner's son is at liberty to seek extension of general parole, which shall be considered looking at the conduct of the convict, while he is out on parole."

7. In view of the aforesaid facts and circumstances, I am of the considered opinion that the impugned endorsement at Annexure-D dated 04.04.2026 deserves to be quashed and the request/application filed by the petitioner for grant of parole deserves to be allowed.

8. In the result, I pass the following:

ORDER

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

(ii) Petitioner – detenue (Segabandi Bhaskara Chary) (CTP No. 1178) is granted general parole for a period of 60 days, which becomes operational from 09.07.2026 to 07.09.2026**.**

(iii) The convict (CTP No. 1178) 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 him to gaol, in the event, the convict (CTP No. 1178) would evade going back to the gaol, after the expiry of the period of general parole.

(iv) Respondent No.2 shall stipulate strict conditions as are usually stipulated, to ensure return of the detenue to the gaol and that the convict shall not commit any other offence during the period of parole.

(v) Registry is directed to communicate this order to respondent No.2, by way of electronic mail, forthwith.

(vi) The petitioner is at liberty to seek extension of general parole, which shall be

considered looking at the conduct of the convict, while he is out on parole.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

NJ
List No.: 1 Sl No.: 7
Ct:si