

Suchitra vs State of Karnataka and Anr

Suchitra vs State of Karnataka and Anr

SooperKanoon Citation : sooperkanoon.com/1853671

Court : Karnataka Orders

Decided On : Dec-20-2024

Judge : S.R.Krishna Kumar

Appeal No. : WP/203819/2024

Appellant : Suchitra

Respondent : State of Karnataka and Anr

Judgement :

-1- ! " # \$ # % ! ! ! # & # ' ! ! "# % & ' () Digitally signed * by SUMITRA SHERIGAR ' ' Location: HIGH COURT OF KARNATAKA (! ### ! ! # % ' ') + * * -2- * ' ' %) %) %) , %) - * * .# (* ' ' * * (* (

,

* & ' * ' ' 0 ' & ' % 0 ' & ') The petitioner is before this Court seeking a direction by issuance of a writ in the nature of mandamus to respondent No.2 to consider her request for grant of release of her -3- husband on general parole for a period of 90 days, who is a life convict - CTP No.613 in terms of the Prison Manual.

2. Heard learned counsel appearing for the petitioner and learned High Court Government Pleader appearing for respondents.

3. The brief facts are as follows: The petitioners husband commits a crime which ends up

in his conviction in S.C.No.6/1997 & 8/1997. On the registration of a crime for the offences punishable under Sections 302 r/w. 34 of IPC, the petitioners husband was convicted and sentenced to undergo imprisonment for life.

4. The petitioners husband continues to be in prison

and is now in prison for the last 4 years and 8 months. On all the aforesaid basis, the petitioner seeks parole on the ground that her husband has been a life convict for over 4 years and 8 months. The petitioner pleads that her son is suffering from several ailments and the son desires that his father i.e., the convict be with him.

-4-

5. I have given my anxious consideration to the submissions made by the respective learned counsel and have perused the material on record.

6. The aforementioned facts are not in dispute and

therefore, requires no reiteration. The petitioner now seeks parole only on the ground that her son is suffering from several ailments and the son desires that his father i.e., the convict be with him. Therefore, I deem it appropriate to grant the petitioners son general parole for a period of 90 days, which becomes operational from 23.12.2024 to 21.03.2025.

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

ORDER

(i) The Writ Petition is allowed.

(ii) Petitioners husband -detenue (Chandrappa) (CTP No.613) is granted general parole for a period of 90 days, which becomes operational from 23.12.2024 to 21.03.2025. -5-

(iii) The convict (CTP No. 613) 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. 613) 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 detainee 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. !() &! ! # ' % 345 6 7 6 .

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com