

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 11787 OF 2026

Between:

Pulluri Revathi, W/o Pulluri Srinivas, Age 37 years, Private Employee, R/o H.No 6-21-138, Arundhati Nagar, Nizamabad Dubba, Subhash Nagar, Nizamabad District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Government of Telangana, Hyderabad.
2. The Director General of Prisons and correctional services, Government of Telangana, Hyderabad.
3. The Superintendent of Jails, Cherlapalli, Central Prison, Medchal-Malkajgiri District

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue any appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in not considering the representations of the petitioner dated 06.04.2026, 08.04.2026 regarding the grant of parole to petitioners husband convict prisoner No,9454 at central prison cherlapalli jail for the purpose of marriage of his son dated 05.05.2026 as arbitrary, illegal, violation of constitution of India and consequently direct the respondents to grant parole to the petitioners husband convict prisoner No. 9454 at

central prison cherlapalli jail for a reasonable period to time to enable him to attend and participate in the marriage of his son scheduled on 05.05.2026.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider the representations of the petitioner dated 06.04.2026, 08.04.2026 to grant parole to petitioners husband [convict prisoner No. 9454 at central prison cherlapalli jail in the interest of justice pending disposal of the above writ petition.

Counsel for the Petitioner : Ms.MUKKERA SAHITHI SRI KAVYA

Counsel for the Respondents : SRI M.SRINIVAS, AGP FOR HOME

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION No.11787 of 2026

Dated: 23.04.2026

Between:

Pulluri Revathi

... Petitioner

And

The State of Telangana,
Rep. by its Principal Secretary,
Home Department, Government of
Telangana, Hyderabad and two others

... Respondents

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India for the following relief/s:-

"... to issue any appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in not considering the representations of the petitioner dated 06.04.2026, 08.04.2026 regarding the grant of parole to petitioner's husband [convict prisoner No.9454 at central prison cherlapalli jail] for the purpose of marriage of his son dated 05.05.2026 as arbitrary, illegal, violation of constitution of India and consequently direct the respondents to grant parole to the petitioner's husband [convict prisoner No.9454 at central prison cherlapalli jail] for a reasonable period to time to enable him to attend and participate in the marriage of his son scheduled on 05.05.2026 and to pass such other order or orders ..."

2. Heard Ms.Mukkerla Sahithi Sri Kavya, learned counsel for the petitioner and Mr.M.Srinivas, learned Assistant Government Pleader for Home appearing for respondents.

Perused the record.

3. The brief facts of the case are that the petitioner's husband was convicted and sentenced to undergo rigorous imprisonment for ten years and to pay a fine of Rs.1,000/- for the charge under Section 376 of I.P.C. and to further undergo rigorous imprisonment for life and to pay fine of Rs.1,000/- for the charge under Section 302 of I.P.C., *vide* judgment dated 05.03.2008 in S.C.No.36 of 2007 on the file of the learned II Additional District and Sessions Judge, (Fast Track Court), Nizamabad. Aggrieved thereby, Criminal Appeal No.1286 of 2008 was preferred before this Court. The said Appeal was also dismissed *vide* judgment dated 08.04.2013. It is stated that the petitioner's husband is at Cherlapalli Central Prison, Hyderabad, having served a period of approximately 16 years and 9 months of sentence. It is further stated that her son's marriage is scheduled to be held on 05.05.2026 at 11:30 A.M. at the petitioner's residence situated at Arundhati Nagar, Dubba area, Subhash Nagar, Nizamabad and the presence of petitioner's husband is necessary for performing rituals and discharging parental duties. It is further stated that the petitioner has submitted representations dated 06.04.2026 and 08.04.2026 to the

respondent authorities requesting them to grant parole for reasonable period of time to her husband to attend their son's wedding scheduled on 05.05.2026. But the respondent authorities have not acted upon the said representations. Hence, the petitioner filed the present Writ Petition.

4. Learned counsel for the petitioner submits that, on 19.03.2025, the petitioner's husband was granted parole by the competent authority. But, he could not surrender within the stipulated time and reported back to the authorities with a delay of nine (9) days. The said delay occurred due to sudden hospitalization of the petitioner as she was not well. She further submits that the petitioner submitted a representation dated 01.09.2025 to the authorities concerned requesting to grant parole to the petitioner's husband but the same was rejected solely on the ground of the delay in surrender during previous parole.

5. She further contends that the petitioner's husband has maintained good conduct throughout his incarceration and he was previously granted parole on twenty one (21) occasions. On twenty (20) occasions, he had surrendered before the prison authorities within the stipulated time. Therefore, she

seeks a direction to the official respondents to consider the representations dated 06.04.2026 and 08.04.2026 submitted by the petitioner and to grant parole to the petitioner's husband so as to enable him to discharge his parental duties during his son's marriage. To substantiate her contention, she relied on the Marriage Invitation of the petitioner's son which shows that the marriage is scheduled on 05.05.2026 at 11:00 A.M. She further relied on the decision of the High Court of Kerala at Ernakulam in **Indira Vs. State of Kerala Represented by the Home Secretary and another¹**.

6. Learned Assistant Government Pleader for Home, by filing a copy of written instructions dated 16.04.2026 addressed by the Superintendent, Central Prison, Cherlapalli, contends that the convict prisoner has completed a total sentence of 16 years, 10 months and 27 days as on 16.04.2026; that the said convict prisoner has been released on 14 days Furlough on 4 occasions and 30 days Parole on 13 occasions and special parole on 2 occasions earlier. He states that the said convict prisoner was released on 15 days special parole on 19.02.2025 vide G.O.Rt.No.135, Home (Ser-V)

¹ (2023) SCC OnLine Ker 1660

Department dated 15.02.2025 and was directed to surrender back on 07.03.2025. But, he had surrendered on 16.03.2025 i.e., after 09 days overstay. Due to which, he was punished with (i) Denial of Parole and Furlough for a period of 02 years & (ii) Forfeiture of ordinary remission of 45 days vide Memo No.RC3/302/2025, dated 09.05.2025 of O/o. the Direction General of Prisons & Correctional Services, Telangana, Hyderabad.

7. He further contends that the representation dated Nil.04.2026 submitted by the petitioner seeking parole to her husband to attend her son's marriage was not considered as respondent No.3 is not vested with the power to revoke the punishment imposed by respondent No.2. He states that G.O.Ms.No.647, Home (Prisons.C) Department dated 23.10.1981 clearly defines parole as a concession given to the convict and cannot be claimed by him as matter of right. Stating so, he seeks to dismiss the Writ Petition.

8. For better understanding para Nos.7 and 9 to 12 of the decision in **Indira Vs. State of Kerala Represented by the Home Secretary and another** cited (supra) are extracted here under:-

"7. Conviction for a crime does not reduce that person into a non-human. Convicts are not denuded of their fundamental rights as

held in *Sunil Batra V. Delhi Administration*, (1978) 4 SCC 494. Though some rights of convicts are denied and are capable of being denied to them, basic human rights cannot be crippled.

9. Notwithstanding the above restraints on the grant of parole to the petitioners husband even for his daughters wedding, taking into reckoning the basic human rights available to a convict this court must balance the competing interests. The human right to participate in the daughter's wedding as part of the liberty of an individual and the interest of society to prevent a convict from fleeing the restraints of law.

10. On a careful consideration of the aforesaid circumstances, this Court is of the view that the petitioner's husband ought to be permitted to attend the wedding of his daughter. Hence petitioner's husband-Sri. Jayanandan, convict No.167 at the High Security Prison at Viyyur, Thrissur is permitted to attend his daughter's wedding scheduled to be held on 22.03.2023 but under police escort. For the purposes of the wedding functions, he is also permitted to visit his house on 21.03.2023 from 09.00. am till 5.00 pm and be returned back to the prison on the same day. He is also permitted to attend the wedding on 22.03.2023 again from 09.00 am to 05.00 pm.

11. Since It is reported that there are serious security threats in taking the convict from prison, respondents 1 and 3 shall ensure strong and sufficient Police surveillance including escort are provided and that the convict does not escape. However, the accompanying Police or escort personnel shall be in plain clothes and shall not interfere with the functions related to the wedding, unless circumstances warrant.

12. The petitioner and one of her daughters shall file an affidavit before the Sessions Court, Thrissur, undertaking that they shall ensure the return of the petitioner's husband to jail as directed in this order."

9. Having regard to the submissions of both the learned counsel and on perusal of decision in **Indira Vs. State of Kerala Represented by the Home Secretary and another** cited (*supra*) and the material available on record, this Court is of the opinion that the right of the convict to participate in his son's wedding is to be considered as a part of liberty of an individual. Moreover, the wedding of the convict's son is an

auspicious occasion and the presence of the convict as a father, at the function, is most appropriate.

10. In view of the above, this Court deems it appropriate to permit the convict/petitioner's husband to attend his son's marriage to be held on 05.05.2026 under Police Escort from 04.05.2026 at 09:00 A.M. to 07.05.2026 at 05:00 P.M. The petitioner's husband shall strictly surrender before respondent No.3 on 07.05.2026 at 05:00 P.M. on a condition that the petitioner/spouse of the convict shall file an affidavit before the learned II Additional District and Sessions Judge, (Fast Track Court), Nizamabad in S.C.No.36 of 2007 stating that he shall ensure the return of her husband to jail as directed in this order.

11. With the above direction, this Writ Petition is disposed of. No costs. It is made clear that the accompanying police or escort personnel shall be in plain clothes and shall not interfere with the functions relating to the wedding, unless the circumstances warrant.

Miscellaneous Petitions, pending if any, shall stand closed.

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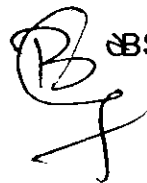
SD/-AHMED ABDULLAA KHAN
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat, Telangana State, Government of Telangana, Hyderabad.

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2. The Director General of Prisons and correctional services, Government of Telangana, Hyderabad.
 3. The Superintendent of Jails, Cherlapalli, Central Prison, Medchal-Malkajgiri District. **(By Special Messenger)**
 4. The II Additional District and Sessions Judge, (FTC) Nizamabad.
 5. One CC to Ms.MUKKERA SAHITHI SRI KAVYA Advocate [OPUC]
 6. Two CCs to GP FOR HOME High Court for the State of Telangana, at Hyderabad [OUT]
 7. Two CD Copies.
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 BSK

HIGH COURT

DATED: 23/04/2026



ORDER

WP.No.11787 of 2026

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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01/05/26
R.B.