



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 4474 OF 2026 (GM-POLICE)

BETWEEN:

SAVITHA M
W/O RAJESH M
SISTER OF PRISONER
SANTOSH MB @ SULLYA
SANTOSH S/O BANALANAGOUDA
(CTP-4221)
AGED ABOUT 42 YEARS
R/O 2-236 MARANGALA HOUSE,
VTC BALILA, SUB DISTRICT SULLIA,
DISTRICT DAKSHIN KANNADA,
KARNATAKA - 574212.

...PETITIONER

(BY SRI.METRI MAHAMMAD ISMAYIL ,ADVOCATE FOR;
SMT. UMMLE SALMA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
HOME DEPARTMENT,
THROUGH PRINCIPAL SECRETARY
VIDHANA SOUDHA,
BENGALURU-560 001.
2. THE CHIEF SUPERINTENDENT
CENTRAL PRISON
BELAGAVI-580008.

...RESPONDENTS

(BY SRI. K.P. YOGANNA, AGA)

Digitally
signed by
CHAITHRA A

Location:
HIGH
COURT OF
KARNATAKA



THIS W P IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT NO.2 TO RELEASE THE PETITIONERS BROTHER NAMED SANTOSH MB AT SULLYA SANTOSH S/O BALANAGOUDA (CTP NO. 4221) ON GENERAL PAROLE FOR A PERIOD OF 90 DAYS IN THE INTEREST OF JUSTICE.B. PASS ANY OTHER ORDER(S) WHICH THIS COURT MAY DEEM FIT AND PROPER UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE.

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 a direction against respondent No.2 to release petitioner's brother on general parole for a period of 90 days.

2. Learned counsel for the petitioner would submit that the petitioner's brother, who stands convicted and is presently undergoing life imprisonment, has already completed more than 11 years of incarceration. It is contended that the request for grant of parole is not founded on any extraneous consideration, but is premised on compelling humanitarian grounds, namely the



precarious medical condition of their mother, who is stated to be suffering from left-sided paralysis and amnesia. Placing reliance on the medical records as well as the order passed by a Coordinate Bench in W.P. No.31271/2024, learned counsel would submit that she is bedridden, incapable of attending to her daily needs without assistance, and requires constant care and further medical treatment. It is thus urged that the presence of the detainee is indispensable to make necessary arrangements for her treatment and care.

3. Learned Additional Government Advocate, on instructions, would fairly submit that the detainee has undergone more than 11 years of sentence and that the request of the petitioner may be considered in accordance with law governing grant of parole.

4. Having heard the learned counsel appearing for the parties and on perusal of the material placed on record, this Court is required to examine the claim of the petitioner in the backdrop of the settled principles



governing grant of parole. Parole, it is trite, is not a matter of right but is a reformatory measure and a conditional release intended to enable a convict to maintain social and familial ties, especially in circumstances warranting humanitarian consideration. Courts have consistently held that in cases involving serious illness of close family members, temporary release on parole can be granted, subject to adequate safeguards, so as to balance the societal interest with the individual's right to attend to pressing family exigencies.

5. In the present case, the material on record, particularly the medical documents, clearly indicate that the detainee's mother is in a critical and dependent condition, being afflicted with paralysis and amnesia, and is unable to manage her day-to-day affairs without assistance. The fact that the detainee has already undergone a substantial period of incarceration, coupled with the absence of any adverse material indicating misuse of liberty in the past, tilts the balance in favour of



granting parole. This Court is therefore satisfied that the petitioner has made out a case falling within the parameters laid down for grant of parole on humanitarian grounds.

6. In that view of the matter, and while ensuring that adequate safeguards are imposed to secure the presence of the detainee and to prevent any misuse of liberty, this Court deems it appropriate to grant parole for a limited duration.

7. Accordingly, the following order is passed:

ORDER

(i) The petition is ***allowed***;

(ii) The respondents are directed to release the convict bearing CTP No.4221 on parole for a period of 60 days from the date of release, subject to the detainee 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 detenue upon expiry of the parole period;

(iv) Any violation of the conditions imposed shall entail cancellation of parole forthwith;

(v) Liberty is reserved to the petitioner to seek extension of parole, if permissible in law;

(vi) The Registry is directed to communicate this order to the jurisdictional prison authorities forthwith, including by electronic mode.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE