



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 8714 OF 2026 (GM-POLICE)

BETWEEN:

1. SRI. NAVEEN .N
S/O NANJUNDAIAH
AGED 30 YEARS
R/AT MADAVADI, TALAKADU HOBALI
T. NARASIPURA TALUK
HOLESALU (KAVERIPURA)
MYSORE-571122.

THE PETITIONER IS THE BROTHER OF
THE CONVICT PRISONER NO. 9905
MAHESH.N
WHO IS SERVING LIFE SENTENCE
IN BENGALURU CENTRAL PRISON.

...PETITIONER

(BY SRI. PRADEEP PATIL, ADVOCATE)

AND:

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





2. THE LIFE CONVICTS
RELEASE COMMITTEE
HOME DEPARTMENT, VIDHANA SOUDHA
BENGALURU-560001
REPRESENTED BY ITS CHAIRMAN
3. THE DIRECTOR GENERAL OF POLICE
PRISONS AND CORRECTIONAL SERVICES
NO. 9, SHESHADRI ROAD
GANDHI NAGAR, BENGALURU-560009.
4. THE CHIEF SUPERINTENDENT
CENTRAL PRISON, PARAPPANA AGRAHARA
BENGALURU-560100.

...RESPONDENTS

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

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT RESPONDENTS TO BE PLEASED TO ACT IN STRICT COMPLIANCE OF THE NOTIFICATION BEARING NO. HD 119 PRA 2018, BENGALURU, DATED 21.04.2020 PRODUCED AS ANNEXURE-A AND BE FURTHER PLEASED TO DIRECT THE RESPONDENTS TO CONSIDER THE CASE OF THE PRISONER NO. 9905 MAHESH .N S/O NANJUNDAIAH FOR PREMATURE RELEASE IN TERMS OF THE ANNEXURE-A AND ETC.

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 writ petition is filed by the brother of the convict seeking issuance of a writ in the nature of mandamus directing the respondents to consider the case of the prisoner, namely Mahesh N. S/o Nanjundaiah, for premature release in terms of the Government Order produced at Annexure-A. The grievance projected by the petitioner is that there is inaction on the part of the respondents in considering the case of the convict for premature release.

2. Learned Additional Government Advocate, on instructions, submits that the case of the convict has already been placed before the Advisory Board constituted for examining cases of premature release and the same is presently under active consideration. It is further submitted that the process of evaluation is underway and the Advisory Board is yet to take a decision in accordance



with the applicable guidelines and statutory framework. Learned AGA would therefore contend that, at this stage, the petitioner cannot seek any direction from this Court, as the matter has not attained finality and the writ petition is clearly premature.

3. Having heard the learned counsel appearing for the parties and on perusal of the material on record, this Court finds that the case of the convict is admittedly pending consideration before the Advisory Board and no recommendation has yet been made. In such circumstances, this Court is of the considered view that the petitioner has approached this Court at a premature stage. Unless and until the Advisory Board completes its consideration and renders its recommendation, no enforceable right accrues to the petitioner to seek a direction against the respondents. Consequently, the respondents cannot be said to have failed in discharging any statutory duty so as to warrant issuance of a writ of mandamus at this stage.



4. In view of the aforesaid, this Court is not inclined to entertain the writ petition. The writ petition stands ***disposed of***, reserving liberty to the petitioner to avail appropriate remedies, if so advised, after the Advisory Board takes a decision in the matter. The petitioner is directed to await the outcome of the proceedings pending before the Advisory Board.

No costs.

**SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

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List No.: 1 Sl No.: 71