



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.106579 OF 2025 (GM-POLICE)

BETWEEN:

BASAPPA R CHAKALABBI S/O. RUDRAPPA,
FATHER OF MUTTU @ MRUTUNJAYA CTP-5045
AGED ABOUT 71 YEARS,
R/O. NO. BENDIGERI ONI, KALGHATGI,
KALGHATAGI, DHARWAD, KARNATAKA-581204.

...PETITIONER

(BY SRI. SIRAJUDDIN AHMED, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
HOME DEPARTMENT,
THROUGH PRINCIPAL SECRETARY,
VIDHANA SOUDHA, BENGALURU-560001.
2. CHIEF SUPERINTENDENT,
CENTRAL PRISON, DHARWAD-580008.

...RESPONDENTS

(BY SRI. T. HANUMAREDDY, ADDL. GOVT. ADVOCATE)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT(S), ORDER(S) OR DIRECTION(S) AND THEREBY; A. DIRECT THE RESPONDENT NO.2 TO RELEASE PETITIONER'S SON CONVICT MUTTU @ MRUTUNJAYA CTP-5045 ON GENERAL PAROLE FOR A PERIOD OF 90 DAYS ON THE GROUND THAT ILLNESS OF PETITIONER'S WIFE WHICH IS EVIDENT AND ISSUED BY THE KARNATAKA GOVERNMENT OFFICE OF ADMINISTRATIVE MEDICAL OFFICER. PRIMARY HEALTH CENTER NOOLVI. THE PRESENCE OF CONVICT WHO IS THE SON OF THE PETITIONER IS ESSENTIAL TO PROVIDE MEDICAL CARE FOR EFFECTIVE TREATMENT AND RECOVERY AND TO PROVIDE NECESSARY SUPPORT TO HIS MOTHER. 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 WRIT PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayers:

"a. Direct the Respondent No.2 to release petitioner's son convict MUTTU @ MRUTUNJAYA CTP-5045 on general parole for a period of 90 days on the ground that illness of petitioner's wife which is evident and issued by the Karnataka government office of administrative medical officer. Primary health center Noolvi. The presence of convict who is the Son of the petitioner is essential to provide medical care for effective treatment and recovery and to provide necessary support to his mother.

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."

2. The petitioner is seeking relief from this Court to direct the respondent No.2 i.e., The Chief Superintendent, Central Prison, Dharwad to release the petitioner's son on general parole for a period of 90 days on the ground of illness of petitioner's wife. It is submitted that the wife of the petitioner is suffering from cervical and lumber spondylolysis and require medical supervision.



3. As per Rule 191 of the Karnataka Prisons Rules, 1974, the Inspector General of Prison may release any prisoner on ordinary parole for a period not exceeding 30 days which may be extended for such time not exceeding 30 days at a time, as the Inspector General deems fit. Further, if a prisoner who desires to be released on ordinary parole, shall submit an application to the Superintendent, who shall forward the same along with his remarks to the Inspector General along with nominal roll of the prisoner and such additional information as may be required. The Superintendent shall ascertain from the Executive Magistrate of the concerned Taluk and the Police concerned, the particulars of the sureties before accepting them and the genuineness or otherwise of the purpose for which the prisoner has applied for grant of parole and the Executive Magistrate and the Police concerned within 15 days after the receipt of the such reference, forward the report to the Superintendent, failing which, it is presumed that they have nothing adverse to it. The Superintendent shall thereafter make his recommendation to the Inspector General of Prisons who shall examine and pass suitable orders for release of prisoner on parole subject to the conditions. The petitioner without availing



the remedy that is available as per Rule 191 of the Karnataka Prisons Rules, 1974 has come before this Court. Such a writ petition is not maintainable. Hence, this Court is passing the following:

ORDER

- (i) Accordingly, the writ petition is ***disposed of*** giving liberty to the petitioner to avail appropriate remedy under Rule 191 of the Karnataka Prisons Rules, 1974.
- (ii) All I.As. in this writ petition shall stand closed.

**Sd/-
JUSTICE LALITHA KANNEGANTI**