



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.108179 OF 2025 (GM-POLICE)

BETWEEN:

RENUKA CHANNAGIRI W/O. PRAKASHA G.D.,
SISTER OF CONVICT SIDDESHA
S/O. BHARAMAPPA CHANNAGIRI (CTP-4644)
AGED ABOUT 26 YEARS,
R/O. SIDDESHWARA NAGAR, MASUR,
RATTIHALLI TALUK, VTC: MASUR, P.O. MASUR,
DISTRICT HAVERI, KARNATAKA-581210.

...PETITIONER

(BY SMT. UMME SALMA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
HOME DEPARTMENT,
THRU. PRINCIPAL SECRETARY,
VIDHANA SOUDHA, BENGALURU-560001.
2. THE 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 THE PETITIONER'S BROTHER, CONVICT NAMELY SIDDESHA S/O. BHARAMAPPA CHANNAGIRI (CTP-4644) 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 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 the Petitioner's brother, convict namely Siddesha S/o. Bharamappa Channagiri (CTP-4644) 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."

2. It is the case that the petitioner's brother is convicted and is undergoing the sentence of life imprisonment with fine for the offences under Section 366 of IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(2) of the Scheduled Castes and Scheduled Tribes Act.

3. It is stated that the petitioner's brother has undergone the actual custody of 5 years, 5 months and 8 days as per the imprisonment certificate. It is stated that the convicted prisoner has filed a writ petition before this Court seeking grant of parole for a period of 90 days and same has



been rejected. Earlier the writ petition was filed by the mother, now it is filed by the brother and he is seeking a parole of 90 days for getting treatment of his mother as she is seriously suffering from many ailments and no one is at home, who can get treated the convict's mother. There is no other effective alternative remedy and hence they have come up before this Court.

4. This writ petition came up before the Court on 19.11.2025 and it was adjourned on 24.11.2025, 08.12.2025 and today when the matter is called, there is no representation on behalf of the petitioner.

5. The writ petitions are being filed seeking parole before this Court, which is contrary to Section 191 of the Karnataka Prison Rules, 1974. This Court in W.P.No.109758/2025 has passed a detailed order that whenever the application is filed by the convict, the jail authorities, strictly in accordance with Rule 191 of the Karnataka Prison Rules, 1974, shall consider the case and shall pass order.



6. Further, it is observed by the Court that if no report is received from the concerned Magistrate or the Station House Officer within 15 days, it is presumed that the concerned Police and the Magistrate have nothing adverse to report against the prisoner and the Inspector General of Police shall proceed in accordance with Rule 191 of the Karnataka Prison Rules, 1974. Earlier writ petition i.e., W.P.No.103386/20285 disposed on 22.08.2025, it is observed that there is no particular emergency, which has arisen for such release of the detainee, who has only served 3 years 11 months 19 days as on 28.03.2025 and liberty was reserved to approach the Court once again after serving at least 5 years. In the considered opinion of this Court, in the light of Rule 191 of the Karnataka Prison Rules, 1974, the High Court, in the usual course, shall not pass an order of parole. It is the duty of the Authorities to act as per Section 191 of the Karnataka Prison Rules, 1974. If they fail to act in accordance with law, there shall be a direction to them to act in accordance with law for granting a parole. Further, all the necessary documents, the conduct of the prisoner and other antecedents will be before the jail authorities, which would facilitate them to consider it in accordance with Rules and pass an order. In that view of the



matter, this Court finds no reason to pass any order in this writ petition. Accordingly, this Court is passing the following:

ORDER

- (i) The writ petition is ***dismissed*** as the same is devoid of merits. However, liberty is given to the petitioners to avail the appropriate remedy.
- (ii) All I.As., in this writ petition shall stand closed.

Sd/-
JUSTICE LALITHA KANNEGANTI

YAN
CT: UMD
List No.: 1 Sl No.: 4