

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

+WRIT PETITION NO.14504 OF 2026

#Sandela Charamma, W/o.Sandela Veeranna,
Aged about 73 years, Occ:Retired Government Employee,
R/o.H.No.:2-2, Peddamupparam Village,
Danthalappaly Mandal, Mahabubabad District,
Telangana – 506324. .. Petitioner

Vs.

\$The State of Telangana, Rep. by its Principal Secretary,
Home Department, Telangana Secretariat,
Hyderabad & others .. Respondents

DATE OF THE JUDGMENT PRONOUNCED: 17.08.2026

SUBMITTED FOR APPROVAL:

***THE HONOURABLE SMT. JUSTICE TANGIRALA
MADHAVI DEVI**

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|--|--------|
| Whether Reporters of Local newspapers | Yes/No |
| 1. may be allowed to see the judgment? | |
| 2. Whether the copies of judgment may be | Yes/No |
| marked to Law Reporters/Journals | |
| 3. Whether Her Lordship wish to | Yes/No |
| see the fair copy of the judgment? | |

JUSTICE T. MADHAVI DEVI

***THE HONOURABLE SMT. JUSTICE TANGIRALA
MADHAVI DEVI**

+WRIT PETITION NO.14504 OF 2026

% DATED 17th AUGUST, 2026

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Vs.

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<Gist:

>Head Note:

! Counsel for the petitioner : Mr.Basheer Riyaz

^Counsel for the respondents : Sri Mahesh Raje
Govt. Pleader for Home

? CASES REFERRED:

1. W.P.(Crl). No.1976/2025 and Crl.M.A.No.22525/2025, dated 12.11.2025.

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

THE HON'BLE SMT JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION No. 14504 of 2026

DATE: 17.08.2026

Between:

Sandela Charamma

...Petitioner

AND

The State of Telangana and 5 others.

...Respondents

ORDER

This Writ Petition is filed seeking a writ of mandamus declaring the Memo dated 10.09.2024 issued by respondent No.2, imposing the punishment of forfeiture of remission and denial of parole and furlough for a period of three years, as illegal and arbitrary and unconstitutional and in violation of the principles of natural justice and consequently to set aside the same and to pass such other order or orders.

2. Brief facts leading to the filing of the present writ petition are that the petitioner is the wife of the convict person i.e., Sandula Veerana in S.C.No.115 of 1982 on the file of the Additional District

Judge, Warangal, as accused No.3 and was sentenced to Life Imprisonment vide judgment dated 09.06.1983. Pursuant thereto, the petitioner's husband was sent to Central Prison, Warangal, as convict Prisoner No.1567 and was released on parole on 17.12.1983 vide G.O.Rt.No.2368, Home (Pri-C) Department, dated 30.11.1983 and an extension was granted upto 17.03.1984 through G.O.Rt.No.315, Home (Pri-C) Department, dated 20.03.1984 and the petitioner's husband was due to surrender to the prison on 18.03.1984. However, he did not surrender to the prison and after a period of 40 years, 01 month and 28 days, he was apprehended by the Special Task Force team of Central Prison, Warangal on 16.05.2024 and was transferred to Central Prison, Cherlapalli, on the intervening night of 16.05.2024/17.05.2024 due to the closure of Central Prison, Warangal.

3. It is submitted that a show cause notice dated 21.05.2024 was issued to the petitioner's husband to explain as to why suitable punishment should not be imposed against him for his overstayal on parole for 40 years, 01 month and 28 days. It is submitted that the petitioner's husband submitted an explanation and the same was rejected

and the respondent No.2 issued the impugned memo dated 10.09.2024, thereby imposing punishment of forfeiture of entire remission i.e., 27 days approximately earned by the petitioner's husband and also denial of parole and furlough for a period of three years. Challenging the same, the present writ petition has been filed.

4. It is the case of the petitioner that the respondents ought not to have issued the impugned orders after a lapse of 40 years. It is submitted that in the intervening period, the petitioner's husband worked as a Government teacher in Gudivada and retired from service in the year 2013 on attaining the age of superannuation and during his service, he was also awarded Best Teacher Award in the year 2004 and since 1983, the petitioner's husband has been staying in Mahabubabad District, but till 2024, the respondents never approached the petitioner and petitioner's husband and surprisingly, on 16.05.2024, the officials from Mahabubabad Rural Police Station came to the house of the petitioner and arrested the petitioner's husband. It is submitted that the petitioner's son is a permanent resident of U.K. and there is no one to look after the petitioner and the petitioner's husband and that the petitioner herein

obtained relevant documents with the help of relatives and has filed this writ petition. It is submitted that the petitioner's husband was suffering from serious medical ailments, which require immediate and specialized medical treatment and his health is deteriorating day by day and the respondents should be directed to consider his application for release on parole by setting aside the impugned order of punishment.

5. Learned Senior counsel appearing for the petitioner submitted that respondent authorities have not taken any steps whatsoever to arrest the petitioner's husband for the past 40 years, though the petitioner's husband was available in Mahabubabad District itself and was working as a Government teacher and submitted that taking action after a period of 40 years without issuing any notice is nothing but illegal and arbitrary. It is submitted that Rule 973 of Telangana Prison Rules, 1979, mandates that before a Superintendent of a prison penalizes an inmate for violating the terms of a temporary release, parole or furlough, the prisoner must be given an opportunity to show cause and be heard regarding the alleged breach. It is submitted that the respondents have mechanically rejected the request of parole. The

learned counsel for the petitioner further referred to Rule 974 (2) of the Andhra Pradesh Prison Rules, 1979, as applicable to the State of Telangana as well, read with Rule 12 of the Telangana Prisoners Release on Parole Rules, 1981, which provides that prisoners can be released on parole on the grounds of serious illness/death/marriage of any member of the family or close relatives and this principle has been upheld by the Apex Court and other High Courts by observing that parole is a reformatory and humanitarian measure and that the nature of the offence or isolated technical grounds cannot be the sole basis for rejection of parole. It is further submitted that by virtue of the impugned order, the three years period starts from 10.09.2024 and expires on 10.08.2027, during which period, the petitioner's husband cannot apply for parole even due to old age ailments, which is one of the reasons for the grant of parole. It is submitted that due to the impugned memo, the petitioner's husband is unable to file an application seeking parole. It is submitted that the convict is also not in a position to file for bail as the judgment of conviction is not available and though an appeal was preferred immediately after conviction, the criminal appeal papers were allegedly

destroyed long back by the registry of this Court and therefore, the petitioner has no other option except to seek parole and therefore sought setting aside of the impugned order.

6. The learned Government Pleader for Home has relied upon the averments made by respondent No.3 in his counter affidavit and submitted that the petitioner's husband was convicted for the offences under Section 148 and 302 r/w 149 IPC and was sentenced to Rigorous Imprisonment for one year for the offence under Section 148 IPC and Rigorous Imprisonment for Life under Section 302 r/w 149 IPC and both the sentences were to run concurrently and he was accordingly confined at Central Prison, Warangal vide CT No.1567. It is submitted that the petitioner's husband was released on parole for 30 days from Central prison, Warangal on 17.12.1983 and which was extended upto 17.03.1984 and the petitioner's husband was due to surrender himself at Central Prison, Warangal, after completion of the parole period on 18.03.1984. However, he failed to surrender at Central Prison, Warangal, the Special Task Force team of Central Prison, Warangal, has apprehended the prisoner and brought him back to Central Prison,

Warangal, on 16.05.2024 and transferred him to Central Prison, Cherlapalli, due to the closure of Central Prison at Warangal and the prisoner has to undergo the remaining sentence of imprisonment awarded by the Hon'ble Additional Sessions Judge, Warangal, in SC.No.115/1982, dated 09.06.1983. It is submitted that a show cause notice was issued to the petitioner's husband for his overstayal on parole for 40 years, 01 month and 28 days and that the convict has submitted his explanation and as the respondent was not satisfied with the said explanation, the proposals were submitted to the Director General of Prisons and Correctional Services, Telangana, Hyderabad, who issued the punishment order of forfeiture of the entire remission i.e., 27 days approximately earned by him and denial of parole and furlough for a period of three years. In support of this order, reliance is placed on Rule No.973 of TS Prisons Rules, 1979 and Rule No.15 of G.O.Ms.No.647 Home (Prisons-C) Department, dated 23.10.1981 and submitted that the punishment awarded to the petitioner's husband was as per the rules and there is no illegality or violation of the principles of natural justice. It is submitted that when the petitioner's husband jumped parole and did not

report back, several letters were addressed to the Superintendent of Police, Warangal Rural and Mahabubabad and ultimately, a Special Task Force team was formed for apprehending the petitioner's husband. Copies of the communications from 19.11.2012 to 03.10.2020 in respect of efforts made to secure the presence of the petitioner's husband and that the petitioner's husband was not found at the last known address and in the nearby villages in spite of their best efforts.

7. As regards the contentions that the petitioner's husband is suffering from medical ailments and therefore is required to be released on parole to undergo treatment, it is submitted that Central Prison, Cherlapalli, has a 50 bedded hospital with medical officers and paramedical staff as well as 24x7 Ambulance facility and that if necessary, the required medical treatments will be provided at Specialist Hospitals like ENT, IMH, OGH, NIMS, SD Eye Hospitals of Hyderabad. It is submitted that parole is not an absolute right for prisoners and that they cannot claim it as a matter of right and if a prisoner who is released on furlough/leave commits a breach of any of the conditions of furlough/leave, he may be awarded the punishment of non-inclusion of

the furlough/leave period towards sentence. It is submitted that in this case, the petitioner's husband has not only overstayed the parole for more than 40 years and has not reported to the prison but was apprehended by the Special Task Force team after serving only 06 months and 07 days of imprisonment, as against Rigorous Imprisonment for Life. Therefore, it was prayed for dismissal of the writ petition.

8. Learned counsel for the petitioner has filed a reply affidavit to the counter affidavit filed by the respondent No.3 stating that the respondents ought to have given sufficient opportunity to the petitioner's husband before imposing the punishment vide impugned order. The learned counsel for the petitioner placed reliance upon the decision of the Delhi High Court in the case of **Kailash Wati Vs. State of Delhi** in W.P(Crl). No.1976/2025 and Crl.M.A.No.22525/2025, dated 12.11.2025 in support of her contentions that compassionate approach should be adopted while considering the rights of the prisoners and for granting parole with conditions on medical problems. The learned counsel for the petitioner submitted that the petitioner's husband is ready to abide by any conditions imposed by this Court if he is granted parole.

9. Having regard to the rival contentions and the material on record, this Court finds that the petitioner's husband was convicted with a punishment of Rigorous Imprisonment for Life and he has not voluntarily reported to the Central Prison after the expiry of the parole period but was apprehended by the Special Task Force constituted for apprehending the convict who jumped the parole. It is clear that the convict has intentionally evaded the arrest and his contention that he was appointed as a Government teacher and worked as such till the date of superannuation also goes to prove that he has intentionally not disclosed about the conviction and has obtained the Government job by deception. The petitioner's husband has been successful in leading the prime period of his life out of prison and enjoyed all the benefits. However, he has been arrested on 16.05.2024 by the Special Task Force team and since the order of conviction has not been appealed against or set aside, the petitioner's husband is required to undergo the punishment. The respondents have therefore, given a show cause notice to the petitioner's husband before imposing the punishment and the punishment of forfeiture of parole for a period of three years is imposed after hearing

the petitioner's husband. Therefore, there is no violation of principles of natural justice or any violation of any Telangana Prisons Rules and in fact, the petitioner's husband is liable to be proceeded against for deception and obtaining the Government job by deception. The medical conditions stated by the petitioner cannot be a ground to release the petitioner's husband on parole, as the medical facilities are available in the Central Prison, Cherlapalli, as stated by respondent No.3 in the counter affidavit. The reliance on the judgment of Delhi High Court in the case of **Kailash Wati** (*cited supra*) is misplaced as it is distinguishable on facts. In the said case, the petitioner therein was aged 81 years and was bedridden and had already served half of the period of sentence of 7 years and the Court was considering the extension of parole on medical grounds and therefore, it was observed that humanitarian approach has to be adopted. However, this Court does not find any such condition in this case. It is apposite that every case has to be considered in the peculiar facts and circumstances of that case. Therefore, this Court does not find any reason whatsoever to interfere with the impugned order and is liable to be dismissed.

10. Having regard to the peculiar facts of this case and to ensure that such cases do not recur, this Court deems it fit and proper to direct the respondents No.1 and 2 to frame such guidelines and machinery as necessary to keep track of persons granted parole report back to the prison on expiry of the parole period. This instance of not being able to track a prisoner for a period of forty years during which, he gets appointed to a Government job and renders service without interruption till he attains the age of superannuation reflects poorly on the attempts of the jail authorities in keeping track of the prisoner when they are granted parole without guards and would embolden many others to adopt such methods of overstayal and deception. Therefore, the respondent authorities are directed to constitute a Special Task Forces to keep strict vigilance on the prisoners who are on parole.

11. Accordingly, the writ petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

JUSTICE T.MADHAVI DEVI

Date: 17.08.2026

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