

HIGH COURT OF TRIPURA

AGARTALA

Crl. A. (J) No.7 of 2025

Sachi Ranjan Tripura,

S/o Matilal Tripura, resident of Chapaliaroazapara, PS- Dhumchhera,
District – Dhalai, Tripura.

.....Appellant(s);

V E R S U S

The State of Tripura

To be represented by the learned Public Prosecutor, the Hon'ble High
Court of Tripura, Agartala.

.....Respondent(s);

For Appellant(s) : Mr. Samarjit Bhattacharjee, Legal Aid Counsel.

For Respondent(s) : Mr. Raju Datta, Public Prosecutor.

Date of hearing and delivery of
Judgment and Order : **24.02.2026.**

Whether fit for reporting : NO.

BEFORE

**HON'BLE JUSTICE DR. T. AMARNATH GOUD
HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA**

JUDGMENT AND ORDER (ORAL)

[Dr. T. Amarnath Goud, J]

This present appeal is filed under Section-374(2) of the Code of Criminal Procedure, 1973, against the impugned judgment and order of conviction and sentence dated 24.06.2015 passed by the learned Sessions Judge, Unakoti Judicial District, Kailashahar in connection with Sessions Trial 24(NT/K) of 2014, whereby and whereunder, the appellant has been convicted for commission of offence punishable under Sections 457/302 of the Indian Penal Code and sentenced to suffer RI for life for the commission of offence punishable under Section 302 of IPC with fine of Rs.5,000/- (rupees five thousand) with default stipulation as well as to suffer

RI for 1(one) year for the commission of offence punishable under Section 457 of IPC with fine of Rs.2,000/- (rupees two thousand) with default stipulation. Both the sentences shall run concurrently.

[2] Facts leading to the present appeal are that, on 19.07.2013 in the evening, while Matakanya Tripura along with her husband, Annalal Tripura & their minor child were sleeping inside their living hut at Chapalaiaroaza Para under Dhumachhera PS, the accused, Sachi Ranjan Tripura, i.e. the appellant herein, entered into the living hut, and by a dao, inflicted a few blows on the head and face of Annalal Tripura who was lying on a cot. The accused Sachi Ranjan Tripura was identified by the light of a kerosene lamp burning inside his living hut. Accused Sachi Ranjan Tripura had a red colour T-shirt and one half pant as his wearing apparels. Matakanya, the wife of deceased Annalal, out of fear took shelter in the house of Purnalata Tripura when the accused left the PO. These statements of Matakanya Tripura were reduced into writing on the intervening night of 19.07.2013 & 20.07.2013 at around 01:00 AM by Inspector Surasen Tripura, who proceeded to the PO after receiving information over telephone. This oral complaint of Matakanya Tripura, reduced into writing by Inspr. Surasen Tripura was treated as FIR vide Dhumachhera PS Case No. 03/2013 under Section 457/302 of IPC. As such, criminal law was set into motion. Thereafter, the investigation was started and after full-fledged investigation the I.O submitted charge sheet against the accused, Sachi Ranjan Tripura for commission of offence punishable under Section 457/302 of IPC

[3] After that, considering the materials on record charge under Section-457/302 of IPC, was framed against the convicted appellant

namely, Sachi Ranjan Tripura, to which he pleaded not guilty and claimed to be tried. In order to prove the charges framed against the convicted appellant, the prosecution examined as many as 27(twenty seven) witnesses and exhibited several other evidences in the form of documents as well as material objects were also adduced by the prosecution starting from Exbt.-1 to Exbt.-13/1 and after closure of the prosecution evidence, the convict accused person was examined by the trial Court under Section 313(1)(b) of Cr.P.C. However, the accused denied to adduce evidence in self-defence.

[4] Thereafter, upon hearing the arguments of both sides and after perusal of the prosecution witnesses the learned Court below convicted the appellant and thereby sentenced him to suffer as stated supra.

[5] Being aggrieved and dissatisfied with the conviction and sentence passed by the learned Sessions Judge, Unakoti Judicial District, Kailashahar, vide No. Sessions Trial 24 (NT/K) of 2014, the appellant preferred this present appeal.

[6] Heard Mr. Samarjit Bhattachrjee, learned legal aid counsel appearing for the appellant. Also heard Mr. Raju Datta, learned Public Prosecutor appearing for the respondent-State.

[7] Learned legal aid counsel, Mr. Samarjit Bhattachrjee, submits before this Court that the learned Sessions Judge failed to appreciate the evidence judiciously and as a result thereof, there has been totally misinterpretation and misreading of the evidence on record. The findings of the learned trial Court to the effect that, the appellant has committed

offence punishable under Sections 457/302 of IPC is based on surmise and conjecture and as such, it is liable to be interfered with. During argument, Mr. Bhattacharjee, learned legal aid counsel submitted that the appellant is in jail for about 13 years and moreover, he committed the offence out of provocation and on that ground learned legal aid counsel has prayed before this Court for conversion of conviction under Section 302 of IPC to Section 304 Part II of IPC. Learned legal aid counsel, Mr. Bhattacharjee, also submits that there had been disputes between the deceased Annalal Tripura and the accused Sachi Ranjan Tripura over the issue of some properties for a long time and most often they used to take up quarrel.

[8] On the other hand, learned Public Prosecutor submits that various injuries were discovered upon examining the deceased's body, including a deep (chop) wound on the face beneath the forehead, numerous cuts on the scalp, and multiple wounds on the orbit and central region of the scalp. Learned Public Prosecutor further contends that there was no sudden provocation because the accused Sachi Ranjan Tripura entered the hut with a dao in his hand and randomly struck deceased Annalal's head and face while he, his wife and their young child were lying on a cot inside their living hut. Learned Public Prosecutor also submits that the sentence passed by the Court below is just and proper and needs no further interference, and as such, the appeal needs to be dismissed.

[9] Though there are evidences of many witnesses examined during the trial of the case but this Court is considering only the evidences of key witnesses for proper and effective adjudication of the case.

(i) PW12, Matakanya Tripura, wife of the deceased, deposed that on 19.07.2013 while she along with her husband Annalal and two years old

minor child were lying on a cot inside their living hut at night, the elder brother of her husband i.e. the accused Sachi Ranjan Tripura entered into their hut with a dao in his hand and indiscriminately inflicted quite a few blows on the head and face of deceased Annalal Tripura. At that time, a kerosene lamp was burning inside the hut. Accused Sachi Ranjan had a red colour T-shirt and one half pant as his wearing apparels. After that, out of fear neither PW12 tried to resist Sachi Ranjan nor did she look at the injuries sustained by her husband, Annalal. She only raised alarm after the accused Sachi Ranjan left the PO and went to the house of Sudhuishya Tripura, PW1 and informed the incident. By this time somebody informed police and the police arrived in their house and immediately thereafter local people also arrived in their house. She lodged oral information to police officer in her house. The police officer reduced it into writing. Police shifted the dead body to hospital. On the following afternoon the dead body was again brought to her house from hospital. PW 12 also deposed that over the issue of some properties, my husband and Sachi Ranjan were at logger heads and repeated quarrels were also going on over the issue of some properties.

Being confronted with cross-examination, PW12 deposed as under:

“At the time of occurrence we were inside the living hut but did not take sleep. I did not state to the Magistrate that at the time of occurrence we had been sleeping. It is not a fact that my husband used to suspect my chastity. It is not a fact that our conjugal relationship was strained. It is not a fact that the dao that is the weapon of offence, is our family property. It is not a fact that I killed husband by this dao. Purnalata Tripura is my nearest neighbour. It is not a fact that I did not inform anything Purnalata, Sudeshya regarding the incident. It is not a fact that no lamp was burning inside my hut at that time. It is not a fact that Sachiranjan did not kill my husband. It is not a fact that I found Sachiranjan in the P.S. and as tutored by police I have identified his wearing apparels. It is not a fact that since I killed my husband I did not notice that injuries

sustained by my husband. It is not a fact that my husband had no enmity with Sachiranjan.”

(ii) PW15, Dr. Soubhik Debbarma, being the Medical Officer, Manu CHC, deposed that on 20.07.2013 one dead body of Annalal Tripura was produced to him and it was identified by the other police personnel. Then, he conducted P.M. examination on the same day and found one deep (chop) wound on the face behind the forehead (two in numbers), as well as multiple cuts and wounds on the scalp (five in numbers), central area of the scalp and the orbit. Frontal area of few brain matters protruding. He also deposed that the cause of death was due to homicidal injury leading to Neurogenic and Hypovolumic shock.

During cross-examination he stated that the P.M. Examination was done at 12:30 p.m, on 20.07.2013.

(iii) PW17, Sri Surasen Tripura, being the O.C. of Dhumcherra P.S., deposed that on 19-7-13 at about 2305 hours on receipt of information that one person was killed at Chapalila, he along with other police personnel went to the spot and found a dead body of one male person lying on a cot in the living hut of the deceased with bleeding injuries. There was no other inmate. They called neighbouring people to help them. They searched for wife of Annalal and found her available in the house of Sudeshya Tripura. Matakanya, wife of the deceased gave statement to him that she took sleep with her husband Annalal with her kid and one kerosine lamp was lighting inside the hut. At that time accused Sachiranjan entered into the hut and by a dao inflicted a few cut blows on Annalal. Out of fear she did not raise alarm and left the house. Then PW17 recorded her statement as per her version at the PO, and instructed S.I. Dulal Das to

take up investigation in the spot. Thereafter PW17 verbally examined the witnesses whose statements were recorded by S.I. Dulal Das and found their statements were correctly recorded. On 03.08.2013 in the morning PW17 arrested the accused person from the house of Sudeshya Tripura and brought him to the P.O. The accused divulged that he could bring out the weapon of offence as he threw it in a paddy land. Now in presence of local people he brought out the dao from a paddy land but PW17 did not record any statement in the form of discloser even after recovery of the dao. PW17 also deposed that he seized the dao in presence of witnesses by preparing a seizure list. After that, PW17 produced the witness Matakanya Tripura to the court on 06-8-2013 for recording her statement and on that day PW17 recorded her statement. During the course of investigation PW17 collected her judicial statement from the court. PW17 further deposed that on 16-8-13, he received the P.M. report and after that on 17.01.2014, the report of the FSL was received. Thereafter, PW17 seized the C.D. and then a prima facie case was established for commission of offence punishable under Sections 457/302 IPC, and hence he filed charge sheet against Sachi Ranjan Tripura on 21-09-2014 .

During cross-examination PW17 deposed as under:

“It is not a fact that the wearing apparels belong to deceased, not of the accused person. It is not a fact that the accused person did not give any discloser statement. It is not a fact that the accused person did not search for the dao. It is not a fact that I seized the dao from the hut of the accused person only to make out a case against him. It is not a fact that Sudeshya Tripura did not inform Jarasindshu that the accused killed Annalal”.

(iv) PW24, Sri Subindra Debbarma, deposed that on 17.01.2014 Ripon Debbarma of Dumcherra Police Station handed over one C.D. cassette to the I.O and the I.O. seized it by preparing the seizure list.

Cross-examination was declined.

(v) PW27, Dr. Sabyasachi Nath, Scientific Officer, Tripura State Forensic Science Laboratory, deposed that on 17.08.2013 he received a parcel from the Director, SFSL, Agartala containing Ext.A, (blood sample of deceased Annalal Tripura), Ext.B (one red colour pachra collected from the P.O), Ext.C (containing blood stain), Ext.D (one takkal dao), Ext.E (subsequently marked Ext.E1 and E2 in the laboratory).

Cross-examination was declined.

(vi) PWs 1, 3, 10, 11, 14, 20, and 23 are the witness to whom PW12, Matakanaya Tripura divulged that accused Sachi Ranjan Tripura in the evening of 19.07.2013 entered into their living hut with a dao in his hand and inflicted quite a few cut blows on the face, head and forehead of Annalal while Annalal was lying on the cot and consequently, Annalal died instantly.

[10] It is seen from record more particularly, from the impugned order dated 24.06.2015 passed by the learned Court below in case No. Sessions Trial 24(NT/K) of 2014 that in the evening of 19-07-2013 PW 12, Matakanya Tripura, the informant-wife of the deceased, Annalal, rushed to the house of Purnalata Tripura, PW 23 and divulged him that accused Sachi Ranjan killed Annalal and they approached the house of PW 1, Sudheshya Tripura, where Matakanya again divulged to Sudheshya Tripura that when they were living inside their living hut accused Sachi Ranjan entered into their living hut with a dao and inflicted cut injuries on the face, head and forehead of Annalal and killed Annalal while Annalal was lying on a cot. Now, PW 1 out of apprehension closed the door of his hut and confined

Purnalata and Matakanya inside his hut and requested PW 13, Jarasindhu Tripura, a panchayat member, to take up the issue with the police when Jarasindhu Tripura informed the matter over telephone to Sunendu Chakma, a police person, known to PW 13 and then PW 11 formally lodged information with Dhumachhera PS and police party accompanied by PW 14, Lalana Tripura, arrived at the PO house at 12.30 p.m and found nobody present there and approached to the house of PW 1, Sudheshya Tripura, wherein Matakanya was found available and then Matakanya, Purnalata, Sudheshya accompanied the police party to the PO house and immediately Matakanya Tripura divulged to the police party in presence of Lalana Tripura, PW 14, that accused person entered into their living hut and inflicted dao blows on the face, head and forehead of her husband, Annalal and killed him while Annalal was lying on a cot. Thus, these bundle of facts though not fact in issue but in proximity of time and place are so much interwoven and formed part of the fact in issue, i.e., accused Sachi Rasnjan Tripura killed Annalal Tripura in the evening of 19-07-2013 when Annalal was lying on a cot inside his living hut. Thus, the evidence of PW 12, Matakanya Tripura, who is a solitary eye witness, has found extremely reliable corroboration from the circumstantial evidence of these witnesses. Further, PW 12 has proved that she identified the accused person by the light of kerosene lamp, which was seized. She also identified the wearing apparels of accused Sachi Ranjan at the time of the occurrence, i.e., red coloured T shirt and half pant, which were subsequently seized and proved by the prosecution. The prosecution has also successfully proved that with intent to kill Annalala Tripura, accused Sachi Ranjan Tripura entered into the living hut of Annalal in the evening of 19.07.2013 with a dao in his hand and inflicted fatal blows on the face, head and forehead of Annalal by the

dao when Annalal was lying on a cot inside the living hut and he was killed instantly.

[11] This Court has carefully considered the entire evidence on record, the impugned judgment of conviction & sentence and the submissions advanced by the learned legal aid counsel for the appellant, as well as the learned Public Prosecutor appearing for the State. After reviewing all of the material on record and the findings made by the Courts below, we are of the opinion that there was no sudden provocation because the accused killed the deceased while the deceased was sleeping with his wife and young child.

[12] Though there are multiple injuries all arising out of only one single blow, it cannot be said that it attracts Section 304 Part II of IPC i.e. culpable homicide not amounting to murder and the accused is entitled for benefit considering his case under Section 304 Part II of IPC. But, in view of the bleak relation among the accused and the deceased as they were at logger heads and repeated quarrels were also going on for property disputes, considering the said issue, the accused person might have attacked his brother with a single blow of the dao and the deceased died. Since pre-planned murder has not been proved and out of heat of anger, the crime could have taken place, this Court considers the punishment for accused appellant to be RI for life with all the benefits of remissions to be extended to the convict under Section 302 IPC and he may be released thereafter. It is pertinent to mention here that during the course of argument, it is represented on behalf of the appellant that the accused convict is in jail for the last 13 years. This Court directs the jail authorities to take a note of this.

[13] With the above observations and directions, the appeal stands partly allowed and thus, disposed of. As a sequel, miscellaneous applications pending, if any, shall stand closed.

[14] Send down the LCRs forthwith.

S. Datta Purkayastha, J.

Dr. T. Amarnath Goud, J.

