

Party Name : BALENDRA TRIPURA ON BEHALF OF ACCD. SURENDRA BALAK TRIPURA
Vs THE STATE OF TRIPURA

THE HONBLE MR. JUSTICE S.TALAPATRA

Heard Mr. A.C. Bhowmik, learned counsel assisted by Mr. D.C. Roy, learned counsel appearing for the petitioner as well as Mr. R.C. Debnath, learned Addl. P.P. for the State. This is a petition filed under Section 397 read with Section 401 of the Cr.P.C. for suspending the sentence in terms of the judgment and order dated 23.04.2015 delivered in Criminal Appeal No.05 of 2015 by the Sessions Judge, South Tripura, Belonia as by the said judgment and order, the appellate court has affirmed the judgment and order of conviction and sentence by the trial court.

Mr. Bhowmik, learned senior counsel has submitted that even if the prosecution's case is entirely believed, it would appear that out of sudden outrage, the petitioner dealt the blow on his wife.

Having regard to the provisions of sub Section 3 of Section 389 of the Cr.P.C., this Court is of the considered opinion that the sentence of the petitioner may be suspended till disposal of the connected revision petition and accordingly, it is ordered.

The petitioner may remain on bail on furnishing a bail bond of Rs.20,000/- (Rupees Twenty thousand) supported by 1(one) surety of the like amount to the satisfaction of the trial court, the Chief Judicial Magistrate, South Tripura, Belonia subject to the condition that as and when his appearance would be required, he should appear before this court without fail, otherwise the order of bail would automatically be recalled.

Accordingly, this petition stands allowed and disposed of.