

Tripura Act No. 20 of 1979.

The Prisoners (Tripura
Amendment) Act,
1979

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No. F. 2(19)-LAW/LEG/79 Dated, Agartala, the 20th November, 1979.

The following Act of the Tripura Legislative Assembly received assent of the Governor on the 9th November, 1979 and is hereby published for general information.

TRIPURA ACT NO. 20 OF 1979

*THE PRISONERS (TRIPURA AMENDMENT) ACT, 1979.*AN
ACT

to amend the Prisoners Act, 1900, in its application to the State of Tripura.

BE it enacted by the Legislative Assembly of Tripura in the Thirtieth Year of the Republic of India as follows :

Short title,
extent and
commencement.

1. (1) This Act may be called the Prisoners (Tripura Amendment) Act, 1979.
- (2) It extends to the whole of the State of Tripura.
- (3) It shall come into force at once.

Insertion of new
Part VI A.

2. After Part VI of the Prisoners Act, 1900 in its application to the State of Tripura, the following Part shall be inserted, namely :—

PART VI A

Temporary
release of
Prisoners
II of 1974

4 31 A(1) The State Government or such authority as the State Government may empower in this behalf may, subject to the provisions contained in sections 433 and 433A of the Code of Criminal Procedure 1973 and to such conditions as may be prescribed under section 31D at any time, release, temporarily for a period not exceeding one month at a time excluding the time required for journey from and to the prison, any prisoner who, having been sentenced to imprisonment for a term of two years or more has actually undergone imprisonment for not less than one year :

Provided that before a prisoner is released under this sub-section he shall have to execute a bond with or without surities as the State Government or other authority making the order of release may determine, for good behaviour during the period of release and for observing the condition of the release.

Explanation :—In this Part 'Prisoner' does not include a person convicted of any offence under Chapter VI or Chapter VII or under any of section 392 to 402 (both inclusive), of the Indian Penal Code, 1860 or classified as a habitual criminal for the purpose of the rules for the time being in force made under the Prisons Act, 1894.

Act XLV of 1860

Act IX 1894

(2) No prisoner shall be released under sub-section (1) unless—

(a) he shall have, after the expiry of the period of release, at least one year of further imprisonment to undergo ;

(b) the officer-in-charge of the prison certifies that the conduct of the prisoner in the person has been good.

(3) Every prisoner shall, when released under sub-section (1), remain within Tripura during the period of such release.

(4) The provisions of sections 446, 447, 448 and 449 of the Code of Criminal Procedure, 1973, shall, as far as may be, apply in respect of bonds executed, with or without surities, in pursuance of the proviso to sub-section (1).

(5) The order granting release may be cancelled by the State Government or any other authority making the order for any reason considered sufficient by it and shall be so cancelled if, during the period of release, the prisoner contravenes any of the conditions of the release or commits any offence.

(6) Subject to the provisions of sub-section (2) of section 31C the period of release of a prisoner under sub-section (1) shall count towards the total period of his sentence.

Special provision
for release on
long term
parole.

II of 1974

31B (1) Notwithstanding anything contained in section 31A and subject to the provisions of sections 433 and 433A of the Code of Criminal Procedure, 1973 or any other law for the time being in force the State Government may, subject to such conditions as may be prescribed by rules made under section 31D at any time, direct that a prisoner may be released upon such conditions as may be specified in the directions for any period not exceeding two years and may at any time cancell his release :

