

### ORDER ON I.A.I

The advocate appearing for appellant has filed the application under Section 389(1) of Code of Criminal Procedure, 1973 praying this court to stay the execution and operation of order of conviction and sentence passed by the trial court in C.C. No.272/2020 dated 10.4.2023.

Perused the grounds urged in the appeal memo and the impugned order of conviction and sentence.

The appellant has challenged the correctness and legality of the order of conviction and sentence on various grounds. The grounds urged in the appeal memo require adjudication on hearing both sides. The impugned order of conviction and sentence is executable one. If order of sentence imposed by the trial court is not stayed, then the very purpose of filing the appeal would be frustrated. Hence, the I.A.I deserves to be allowed with conditions and accordingly the following order is passed:

ORDER

The I.A.I is hereby allowed.

The execution and operation of impugned order of conviction and sentence passed by trial court in C.C.No.272/2020 dated 10.4.2023 is stayed till pending disposal of the appeal on merits.

The appellant has produced the challan for having deposited the fine amount before the trial court.

The appellant/accused is ordered to be released on bail on his executing personal bond for Rs.50,000/- with one surety for likesum amount to the satisfaction of the trial court.

The office is directed to issue stay intimation to the trial court.

Issue notice of appeal to the respondent and call for trial court records by 26.05.2023.

Prl. District and Sessions Judge, Bagalkote