

**IN THE COURT OF APEAL OF THE DEMOCRATIC SOCIALIST  
REPUBLIC OF SRI LANKA**

CA No. **CA (PHC) APN 73/01**  
HC/RA/Badulla/Case No 46/99  
Primary Court of Wellawaya 12315

Officer -in-Charge  
Police Station,  
Wellawaya.

**Complainant**

**Vs.**

1. Mohamed Uvais Mohamed Imtiaz  
Muslim Colony,  
Buttala.
2. Kapoor Pitchai Mohamed Yehia
3. Tuan Kitchil Mohamed Hisan  
Muslim Colony,  
Buttala.

**Accused**

**And Between**

Segu Mohamed Nasarullah  
Muslim Colony,  
Buttala.

**Petitioner**

**Vs.**

Officer -in-Charge  
Police Station,  
Wellawaya.

**Complainant-Respondent**

Hon. Attorney-General  
Attorney Generals Department  
Colombo 12

**Respondent**

**And Now Between**

Segu Mohamed Nasarullah  
Muslim Colony,  
Buttala.

**Petitioner-Appellant**

Nasarulla Akberiya  
No.11,  
Muslim Colony,  
Buttala

**Substituted-Petitioner-Appellant**

**Vs.**

Officer -in-Charge  
Police Station,  
Wellawaya.

**Complainant-Respondent Respondent**

Hon. Attorney-General  
Attorney Generals Department  
Colombo 12

**Respondent-Respondent**

C.A.(P.H.C.)No.73/2001

P.H.C.Badulla No.46/99

Before : **Rohini Marasinghe, J.**  
**Deepali Wijesundera, J.**

Counsel : Vidura Ranawaka with Suraj Rajapakse for the Petitioner-  
Appellant  
Anoopa de Silva SC for the A/G.

Argued &

Decided on : 13.12.2012.

**Rohini Marasinghe, J.**

This appeal relates to a conviction of a vehicle. The vehicle has been confiscated pursuant to a charge under Section 11 (1) and(2) of the Cruelty to the Animals Act. There is no provision for confiscation of the vehicles under this Act. Therefore we release the vehicle to the registered owner. The appeal to release the vehicle is allowed.

JUDGE OF THE COURT OF APPEAL

**Deepali Wijesundera, J.**

I agree.

JUDGE OF THE COURT OF APPEAL

KLP/-