

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

CA PHC APN 75/12

High Court Galle Case No: BA 3249/2010

Magistrate's Court Galle Case No: B 48964

Officer in Charge
Special Operation Unit,
Police Station,
Galle.

Complainant

Vs.

Dilum Iroshana Panditharathna

SUSPECT

And Now

Ashoka Manjula Panditharathna
167/D1,
Jayamawatha,
Athurugiriya.

Petitioner

Vs.

1. Officer-In-Charge
Special Operation Unit,
Police Station,
Galle.
2. The Hon. Attorney General
Attorney General's Department
Colombo- 12

Dilum Iroshana Panditharathna

Suspect

C.A. (PHC)APN No.75/2012

H.C.Galle BA 3249/10
M.C.Galle No.B 48964

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

Counsel : Amila Palliyage for the Petitioner.
Anoopa de Silva SC for the Respondents.

Argued &

Decided on : 13.12.12

Rohini Marasinghe, J.

The suspect in this case had been charged being in possession of 3.34 grams of heroin contrary to the Poison, Opium and Dangerous Drugs Ordinance. He had been on remand from 07.05.2010. No indictment had been served on the suspect up to date. However, learned State Counsel informed Court that though the Government Analyst Report had been received on 01.08.2011, it takes a long time for the State to receive Government Analyst Report. The suspect had been on remand without a trial for more than 2 years. Considering the above facts we are of the view that the suspect should be released on bail.

Therefore we direct the learned Magistrate to release the suspect **Dilum Iroshana Panditharath** on cash bail in a sum of Rs.100,000/- with two sureties acceptable to the learned Magistrate.

The suspect is directed to report before the Officer-in-Charge, Special Operation Unit, Police Station, Galle on the last Sunday of every month between 9 a.m to 12 noon until the case is concluded.

Registrar is directed to forward a copy of this order to the Registrar , Magistrate Court of Galle and the Officer-in-Charge, Special Operation Unit, Police Station, Galle..

The petitioner is entitled to obtain a certified copy of this order on payment of usual charges.

JUDGE OF THE COURT OF APPEAL

Deepali Wijesundera, J.

I agree.

JUDGE OF THE COURT OF APPEAL

KLP/-