

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

In the matter of an application for revision
In terms of Article 154P of the Constitution
read with section 11 of the High Court
of the Province Act No.19 of 1990, and in
terms of Article 138(1) of the Constitution
and Section 404 of the Criminal
Procedure Code Act No 15 of 1979.

CA Application No: **CA (PHC) APN: 40/12**

High Court Colombo Case No: HCBA 632/11

Magistrate's Court Mount Lavinia
Case No: B 1716/2010

Fatima Shafra Jalaldeen
No.255/03,
Badowita
Mt. Lavinia.

PETITIONER

vs

1. The Hon. Attorney General
Attorney General's Department
Colombo 12.
2. The Officer in Charge
Police Station
Mount Lavinia.

RESPONDENTS

Thanr Pehettige Wijesinghe Lanka Ragitha

SUSPECT

C.A. (PHC) APN 40/2012 : HC Colombo Case No.
632/2011

Before : Sisira de Abrew, J. &
K.T. Chitrasiri, J.

Counsel : Neranjan Jayasinghe for the petitioner
Anoopa de Silva, S.C. for the respondent

Argued &

Decided on: 03.10.2012

Sisira de Abrew, J.

Learned State Counsel brings to the notice of this Court that the indictment against the suspect in this case has been forwarded to the relevant High Court. She produces a copy of the indictment in the record. Since the indictment has been sent to the relevant High Court, we are of the opinion that the learned High Court Judge can consider bail. In these circumstances, we refuse to revise the learned High Court Judge's order.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

K.T. Chitrasiri,J.

I agree

JUDGE OF THE COURT OF APPEAL

Cr/-