

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

CA PHC (APN) No. 158/11
HC Colombo No.4726/09

The Democratic Socialist Republic of Sri Lanka

Vs.

Gangodawilage Sujeewa Nilanthi Dabare alias Batu
(Presently at Welekada Prison)

Accused

And Now Between

Amarakon Mudiyanseelage Bandara Menike,
No. 122/06,
Samagi Mawatha,
Magamma,
Homagama.

Petitioner

Vs.

Hon.Attorney General,
Attorney General's Department,
Colombo 12 .

Respondent

Gangodawilage Sujeewa Nilanthi Dabare alias Batu
(Presently at Welikada Prison)

Accused

C.A.(PHC) APN No. 158/2011

H.C. Colombo No.4726/09

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

Counsel : Kumudu Wijesooriya for the Petitioner
Anoopa de Silva S.C. for the Respondent

Argued and
Decided on : 19.06.2012

Sisira de Abrew, J.

Both Counsel heard in support of their respectively cases.

This is an application to revise the order of the learned High Court Judge dated 16.12.2010. Learned High Court Judge after making the said order has made another order dated 19.01.2012 wherein he again refused to release the accused on bail. The petitioner has, in this application, moved to revise the order dated 16.12.2010. But he has not made an application to revise the subsequent order of the learned High Court Judge dated 19.01.2012. However we note that the prosecution case has been concluded on 25.05.2012. Both parties admit this position. Case has now been postponed for the accused to call his

witnesses. Both parties admit that next date is 23.07.2012. In these circumstances, we do not intended to interfere with learned High Court Judge's order on 16.12.2010. Petition is dismissed.

Judge of the Court of Appeal

K.T.Chitrasiri, J.

I agree

~~Judge of the Court of Appeal~~

WC