

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

CA PHC APN 142/2011

Kaduruwana Hewawasamge Kusumawathie
No:101,
Babapulla Place,
Grandpass,
Colombo 14.

Appellant

Vs.

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

Office in-charge
Police Station,
Kotahena.

Respondents

CA(PHC)APN142/2011

H.C.(Colombo)B.A.500/2010

Before : **Sisira de Abrew, J**
Deepali Wijesundera, J

Counsel : Senaka Ullandupitiya for the
Petitioner.

Argued & : **31.05.2012**
Decided on

Sisira de Abrew, J

Learned State Counsel submits that the indictment has already been sent out to the relevant High Court. In this circumstance we note that the learned High Court Judge is entitled to consider the application for bail when the indictment is served on the accused appellant. In these circumstances, learned counsel for the petitioner makes an application to withdraw the petition. Application allowed. Petition dismissed.

Petition dismissed.

JUDGE OF THE COURT OF APPEAL

Deepali Wijesundera, J

I agree

JUDGE OF THE COURT OF APPEAL

Na/-