

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

CA PHC APN 35/2012

Mohomed Akbar Lakmini Arinodani
579/2/D,
Wales Kumara Mawatha,
Colombo 14.

Petitioner

Vs.

Office in-charge
Aduruppuweediya,
Colombo 13.

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

Respondents

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

In the matter of an application for a
mandate in the nature of a writ of certiorari
under Article 140 of the Constitution of the
Democratic Socialist Republic of Sri Lanka.

C.A. (PHC) APN No. 35/2012

High Court Colombo Case No: HCBA 662/2011/07

BEFORE

: A.W.A. Salam J.

Deepali Wijesundera J.

COUNSEL

: V.Dharmasena Vidyaratne

appears for the Petitioner.

: Anoop De Silva SC for the
Respondent.

ARGUED ON

: 18th October, 2012.

DECIDED ON

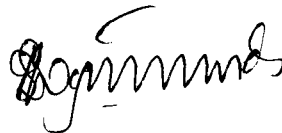
: 23rd October, 2012

Deepali Wijesundera J.

The petitioner has filed this application to revise the learned High Court Judge's order delivered on 03/02/2012 refusing the bail application made on behalf of the 1st accused in case No.B 51858/2011 in the Magistrate's Court of Maligakande.

The counsel for the petitioner submitted that he has a sick child who needs his constant attention and that it is an exceptional ground for revision. This was not supported with documents. Neither was it pleaded as an exceptional ground in the High Court.

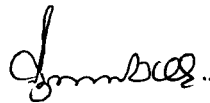
The learned State Counsel mentioned that the accused petitioner has already been indicted in the High Court of Colombo, therefore he can move for bail in the High Court. We see no merit in this application to revise the learned High Court Judge's order. Application for revision is refused.



JUDGE OF THE COURT OF APPEAL.

A.W.A. Salam J.

I agree.



JUDGE OF THE COURT OF APPEAL