

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

CA Application No: **CA (PHC) APN: 162/12**

High Court Case No: 2810/2012

Balapitiya HCBA No: 2810/12

Yakgahahewage Newton Wickremasinghe.
Batapola Road,
Kurundugaha Hethaphma
Elpitiya.

Petitioner- Petitioner

Vs.

01. Officer-in-Charge
Homicide Investigations Unit,
Criminal Investigation,
Colombo 01.
02. Hon. Attorney General
Attorney General's Department.
Colombo 12.

Respondent- Respondents

03. Yakgahahewage Chandana Wickremasinghe.

Suspect - Respondent-Respondent

C.A. (PHC) APN No. 162/2012

H.C.Balapiitya No. HCBA 2810/2012

BEFORE : A.W.A.SALAM, J. &
SUNIL RAJAPAKSHE, J.

COUNSEL : Janajith de Silva for the petitioner.
Anoopa de Silva SSC for the Respondent.

ARGUED AND

DECIDED ON : 31st July 2013

A.W.A.SALAM, J.

Counsel for the petitioner and the learned Senior State Counsel were heard in support of the application.

Learned Senior State Counsel has no objection to the suspect, Yakgahaewage Chandana Wickremasinghe being enlarged on bail on appropriate conditions. We considered the fact that the suspect on whose behalf the application for bail has been made in the High Court was on remand for nearly one year and nine months and the period of further extension sought by the Attorney General also has expired. Therefore, we decide to set aside the order of the learned High Court Judge refusing bail and substitute the same with the following bail conditions.

1. The suspect, Yakgahaewage Chandana Wickremasinghe to be released on cash bail in a sum of Rs.100,000/=(One Hundred Thousand Rupees) with 04 sureties acceptable to the learned Magistrate. The quantum of surety bail is Rs.500,000/= each.
2. As a condition precedent to the suspect to be released on bail, he should hand over his passport to Court, which passport to be impounded by the learned Magistrate and inform the relevant Authorities.

The registrar is directed to forward a copy of this order to the Magistrate's Court of Balapitiya.

The certified copy of this order to be issued to the petitioner on payment of usual charges.

JUDGE OF THE COURT OF APPEAL

SUNIL RAJAPAKSHE, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Kwk/=.