

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

CA(PHC)APN:65/13

H.C.B.A. Chi law 21/2012

Basnayaka Appuhamilage Anisiya
Thisera alias Anishia Thisera,
Sippikalana,
Mugunuwatawana.

Petitioner

Vs.

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

Officer in Charge
Police Station
Chilaw.

Respondents

CA (PHC) APN 65/2013 **H.C.B.A. Chilaw 21/2012**

BEFORE: A.W.A. Salam, J.
 Sunil Rajapakshe, J.

COUNSEL: Neranjan Jayasinghe for the Petitioner.
 Anoop De Silva SSC for Respondent.

DECIDED ON: 10.09.2013.

A.W.A. Salam, J.

The accused is the suspect in respect of whom this revision application has been filed against the refusal to enlarge him on bail. He has been in incarceration for nearly two years.

The learned Senior State Counsel brings it to the notice of Court that the accused is now facing another case where he is indicted with double murder. Taking into consideration the period of incarceration pending trial, we are of the opinion that this a fit case to direct the accused to be released on bail. As such we set aside the impugned order of the learned High Court Judge and direct the learned Magistrate of Marawila to enlarge the suspect **Lenard Luwis Washington alias Chandana alias Sumith** on the bail on the following conditions.

1. The suspect should keep cash bail in a sum of Rs. 50,000/-.
2. The suspect should enter into a bond with two sureties in a sum of Rs.10 million.
3. The suspect should report on the last working day of every month to the Registrar of the Marawila Magistrate Court. The Registrar of Marawial Magistrates Court is directed to maintain the separate record for this purpose.

The suspect is directed to make a declaration whether he is in a possession of passport and if he has one he must surrender that to Court. In any event the suspect is not to leave the country without the permission of the learned Magistrate.

JUDGE OF THE COURT OF APPEAL.

Sunil Rajapakshe, J.
I agree.

JUDGE OF THE COURT OF APPEAL.

Mm/-.