

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

C.A. No. 63/2013

H.C.Jaffna No. 1353/10

S. Dharmadasa
Serawenei West,
Kaits.

Appellant

Vs.

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

Respondent

C.A. No. 63/2013

H.C.Jaffna No. 1353/10

BEFORE : H.N. J. PERERA, J. &
K. K. WICKRAMASINGHE, J.
COUNSEL : Chathura Galhena for the Accused-Appellant.
Dilan Ratnayake SSC for the Respondent.

ARGUED AND

DECIDED ON : 16th July, 2015

H.N. J. PERERA, J.

Counsel for the Accused-Appellant at this stage concedes the fact that this appeal had been filed out of time. The judgment in this case had been delivered on 12/13/2012. The petition of appeal had been filed on 24/05/2013, clearly the petition of appeal is out time and had not been filed within the 14 days of the judgment. Again the accused-appellant had appealed from the order made by the learned High Court Judge on the application made by the accused-appellant under Section 241(3) of the Criminal Procedure Code. There is no right of appeal from the order made by the learned High Court Judge under Section 241(3) of the Criminal Procedure Code. The said order had been made on 17/05/2013.

Learned Senior State Counsel at this stage moves Court to dismiss the appeal of the Accused-Appellant. Therefore, as the petition of appeal filed by the accused-appellant is out of time, we dismiss the appeal filed by the Accused -Appellant.

JUDGE OF THE COURT OF APPEAL

K. K. WICKRAMASINGHE, J.

I agree.

JUDGE OF THE COURT OF APPEAL

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