

IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST

REPUBLIC OF SRI LANKA

In the matter of an application for Revision under and in terms of the Article 138 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

CA (PHC) APN 24/2021

Magistrate's Court of Chilaw Case No.:

B 1236 /2019

High Court of Chilaw Bail Application No:

HC 16/2020

Officer – in – Charge,

Police Station,

Chilaw.

Complainant

Vs.

Warnakulasuriya Welinton Fernando,

Kurusapaduwa,

Wella,

Chilaw.

10th Suspect

(Currently in the Remand Custody)

AND BETWEEN

Warnakulasuriya Shamila Pushpami Perera,

Kurusapaduwa,

Wella,

Chilaw.

Petitioner

Vs.

1. Hon. Attorney General,
Attorney General's Department,
Colombo 12.
2. Officer – in – Charge,
Police Station,
Chilaw.

Respondents.

AND NOW BETWEEN

Warnakulasuriya Shamila Pushpami Perera,
Kurusapaduwa,
Wella
Chilaw.

Petitioner – Petitioner

Vs.

1. Hon. Attorney General,
Attorney General's Department,
Colombo 12.
2. Officer – in – Charge
Police Station
Chilaw.

Respondents - Respondents

Before - Menaka Wijesundera J.

Neil Iddawala J.

Counsel – Waruna Weerasuriya for the petitioner.

Chathurangi Mahawaduge, SC for the state.

Argued On – 16.06.2021

Decided On – 29.06.2021

MENAKA WIJESUNDERA J.

The instant application for bail has been filed to set aside the order dated 7.8.20 of the learned High Court Judge of Chilaw.

But as the application proceeded the counsel appearing for the petitioner submitted to Court that if the bail conditions of the petitioner are varied he is satisfied. Hence this Court directed the Counsel appearing for the Attorney General to file in writing whether they have any objection to the said application.

Hence according to the document filed by the Counsel for the Attorney General they have no objection to the said application.

Hence upon consideration of the above submissions this court while affirming the order of the learned High Court Judge of Chilaw the bail conditions set out in the said order from roman numbers 1 to 8 are hereby set aside and the following conditions are imposed,

- 1) A cash bail of Rs 500000/,
- 2) Two sureties to the value of Rs 1000000/each

3) The petitioner to report to the relevant police station on every last Sunday of the month.

The registrar of this Court is directed to convey this order to the relevant High Court.

Judge of the Court of Appeal.

I agree.

Neil Iddawala J.

Judge of the Court of Appeal.