

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 Article 138 of the Constitution of the Democratic Socialist Republic of Sri Lanka read along High Court of the Provinces (Special Provisions) Act No. 19 of 1990.

CA PHC APN : 20/16

HC Panadura Case No. 39/2015

MC Kesbewa : B 294/15

Lansage Basil
No. 206, Costal Road,
Angulana

Presently at

163, Church Rd.,

Angulana, Moratuwa

Petitioner-Petitioner

Vs

Officer in Charge

Police Station

Piliyandala

Complainant-Respondent-Respondent

Hon. Attorney General

Attorney General's Department

Colombo 12

Respondent-Respondent

Lansage Nirmal

163, Church Rd.,

Angulana, Moratuwa

Suspect- Respondent-Respondent

Before: **Menaka Wijesundera, J.**
 Neil Iddawala, J.

Counsel: Selvaraja Dushyanthan for the Accused-Petitioner-Appellant
 Chathurangi Mahawaduge, SC for the State

Decided on: 25.05.2022

Menaka Wijesundera, J.

The instant matter has been sent back by the Supreme Court by way of order dated 03.07.2020 for re-hearing. Since the matter has been sent back for re-hearing in 2021 although the Petitioner has been noticed up to date he had not appeared before this Court. Finally it was fixed for hearing today and the learned State Counsel appearing for the Attorney-General draws our attention to the fact that in 2019, the accused-petitioner has been enlarged on bail by the High Court of Homagama. As the final objective of the instant application by the Petitioner is to obtain bail and as such it has already been achieved and as the Petitioner has not been appearing in this Court since notice has been issued on him on the direction of the Supreme Court, we see, there is no purpose in proceeding with this application, as such the application is dismissed. The proceeding in the High Court dated 19.09.2019 is submitted by the learned State Counsel and is filed in the record.

Therefore, application is dismissed.

JUDGE OF THE COURT OF APPEAL

Neil Iddawala, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Mm/-