

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

In the matter of an application for bail under Section 10 (1) (C) of the Assistance to and Protection of Victim and Witnesses Act, No 04 of 2015.

Court Of Appeal Case No :

CA/BAL/ 0065/2021

Kuliyapitiya Magistrate Court

Case No :B 89574/21

Headquarters Inspector (HQI),

Police Station,

Kuliyapitiya.

Complainant

Vs.

Chandrasekara Mudiyanseelage Ajantha Upatissa,

Currently in remand custody at the Wariyapola Prison.

Suspect

AND NOW

Chandrasekera Mudiyanseelage Mangalika Saman
Kumari,

Currently in remand custody at the Wariyapola
Prison

Suspect-Petitioner

Vs.

1. Headquarters Inspector (HQI),
Police Station,
Kuliyapitiya.

Complainant – Respondent

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

Respondent

Before :- **Hon. Justice Menaka Wijesundera**

Hon. Justice Neil Iddawala

Counsel :- Kuvera Ranasinghe with Unica Fonseka for the Petitioner.

Panchali Witharana, SC for the Respondent.

Decided on :- 21.06.2022

Hon. Justice Menaka Wijesundera

In the instant matter the application is made to obtain bail to Chandrasekara Mudiyansele Ajantha Upatissa. Both parties are present. The State Counsel appearing on behalf of the Respondents state that she is not objecting for bail, the reason that the Complainant in the instant matter and the substantive matter has made a second statement which says that she is not interested in pursuing the matter. However, the Counsel appearing for the Petitioner states that in the substantive matter, the victim had been paid compensation by his client. In view of these facts, this Court decides to enlarge the suspect on bail on the following bail conditions:-

1. Cash bail of Rs. 20,000/-
2. Two sureties to the value of 50,000 each.
3. The Suspect to report on every last Sunday of the month to the relevant Police Station.
4. The Suspect is severely warned not to interfere with the complainant at all and if he does, the instant bail order would be cancelled.

The Registrar of this Court is directed to send the above order to the relevant Magistrate's Court.

The instant application for bail is allowed.

JUDGE OF THE COURT OF APPEAL

Hon. Justice Neil Iddawala

I agree.

JUDGE OF THE COURT OF APPEAL

ANV/-