

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

**C.A. (PHC) APN No: 145/2012**

H.C. Anuradhapura No: 31/2010

M.C. Kekirawa No: 34016

R.B. Chaminda Kumara Wanninayake  
"Marasingha", Halmillawa,  
Andiyagala.

**Accused -Appellant-Petitioner**

**Vs.**

OIC  
Police Station  
Galkiriyagama.

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

**Complainant-Respondent-Respondent**

C.A. (PHC) APN No:145/2012 - H.C. Anuradhapura No:31/2010

M.C. Kekirawa No:34016

BEFORE : **K.T. Chitrasiri, J. &**

**P.R. Walgama J**

COUNSEL : Appellant is absent and unrepresented.  
Anoop de Siva SSC. for the Respondents.

DECIDED ON : 29.01.2015.

**K.T. Chitrasiri, J.**

This is an application made in revision to canvass the Judgment dated 13.09.2012 pronounced in the Provincial High Court of Anuradhapura where the learned Judge has exercised appellate jurisdiction. When this matter was mentioned on the last date, counsel who appeared for the Appellant has moved time to consider whether he is pursuing this application in view of the decision in CA. (PHC) APN No: 204/2006 made by a Divisional Bench of this Court (Ama Weeratunga V Sepala Ekanayaka). In that decision this Court has held that the Court of Appeal has no jurisdiction to entertain even revision applications when the Provincial High Court has exercised appellate powers. Therefore, in view of the aforesaid decision of the Divisional Court, we decide that this Court has no jurisdiction to entertain this revision application. Accordingly this application is dismissed.

*Application is dismissed.*

JUDGE OF THE COURT OF APPEAL

**P.R. Walgama, J.**

I agree

CN/-

JUDGE OF THE COURT OF APPEAL