

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

In the matter of an Application for Revision of an Order by the High Court of Sri Lanka Holden in Ratnapura in terms of Article 138 of the Constitution of the Democratic Socialist Republic of Sri Lanka read with Section 404 of the Code of Criminal Procedure Act 15 of 1979 as amended.

Kahengoda Mudiyanseelage Rangani
Saman Rupasinghe,
of "Sithumina" Andana
Kahawatta.

Petitioner

VS.

**CA (PHC) APN
CA Revision Case No. 110/15
Ratnapura HC Case No. BA 11/2015
Pelmadulla MC Case No. 61645.**

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

3. Officer-in-Charge,
Homicide Unit,
Criminal Investigations
Department,
Colombo 1.

Respondents

- 4 Jayakody Arachchilage Aruna
Nilantha Jayasinghe,
Presently at the Remand Prison
Kuruwita.

1st Suspect-Respondent

AND NOW BETWEEN

Kahengoda Mudiyansele Rangani
Saman Rupasinghe
of "Sithumina" Andana,
Kahawatta.

Petitioner-Petitioner

VS

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

3. Officer-in-Charge,
Homicide Unit,
Criminal Investigations
Department,
Colombo 1.

Respondents-Respondents

4. Jayakody Arachchilage Aruna
Nilantha Jayasinghe,
Presently at the Remand Prison,
Kuruwita.

**1st Suspect-Respondent-
Respondent.**

BEFORE : **W.M.M. Malinie Gunaratne, J. and**

L.T.B. Dehideniya, J

COUNSEL : Palitha Fernando, P.C. with Dilum Jayamitha
for the Petitioner.

H. Jayanetti, S.C.
for the 1st Respondent.

Decided on : 08. 02.2016

Malinie Gunaratne, J.

The learned State Counsel has no objection to the application of the Petitioner being allowed on heavy bail conditions, since the 1st Suspect – Respondent has been on remand for one year and already the Plaintiff has been filed in the Magistrate’s Court of Pelmadulla.

Taking into consideration all these matters, I am of the view that the 1st Suspect – Respondent in respect of whom the Revision Application is filed is entitled to be released on bail.

As such, the impugned order of the learned High Court Judge of Ratnapura dated 21.09.2015 is set aside and I direct that the 1st Suspect-Respondent be released on the following bail conditions:-

- i. Cash Bail in a sum of Rupees One hundred thousand.
(Rs.100,000/-)
- ii. Surety Bail with two sureties of the value of Rupees Five hundred thousand (Rs.500,000/-) each.
- iii. The sureties should be family members of the suspect (wife, children, parents, own brothers or sisters) .
- iv. After the grant of bail, the 1st Suspect-Respondent is directed to report to the Officer in Charge of the Murder Investigations Unit, Criminal Investigation Department, Colombo 01 on the last Sunday of every month between 9.00 a.m. and 12.00noon.
- v. Passport of the suspect is to be impounded, if he has one and if not, the suspect has to tender an affidavit stating that he does not possess a passport.
- vi. Learned Magistrate is directed to inform the Immigration and Emigration Authority accordingly.

Registrar is directed to send a copy of this Order to the learned Magistrate of Pelmadulla.

Registrar is also directed to issue a certified copy of this Order to the Petitioner on payment of the usual charges.

JUDGE OF THE COURT OF APPEAL

L.T.B. Dehideniya.J.

I agree

JUDGE OF THE COURT OF APPEAL