ws

Ww



**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**

*————————*

**PENAL CODE (AMENDMENT)**

**A**

**BILL**

**to amend the Penal Code (Chapter 19)**

*————————*

*Presented by the Minister of Justice, Prison Affairs and Constitutional Reforms on 21st of August, 2024*

(Published in the Gazette on January 09, 2024)

*Ordered by Parliament to be printed*

*————————*

**[Bill No. 285]**

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA   
TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

|  |  |  |
| --- | --- | --- |
| 2- | **Price : Rs. 24.00** | **Postage : Rs. 150.00** |
| *This Bill can be downloaded from* www.documents.gov.lk |  |

2-2d

*STATEMENT OF LEGAL EFFECT*

*Clause 2* : This clause amends section 11 of the Code of Criminal Procedure Act, No.15 of 1979 (hereinafter referred to as the “principal enactment”) and is consequential to the amendment made by clause 3.

*Clause 3* : This clause amends section 14 of the principal enactment and the legal effect of the section as amended is to increase the maximum fine that may be imposed by a Magistrate’s court.

*Clause 4* : This clause amends section 291 of the principal enactment and the legal effect of the section as amended is to increase the amounts specified in paragraphs (*c*) and (*f*) of subsection (1) and subsection (3) of that section.

*Clause 5* : This clause amends section 388 of the principal enactment and the legal effect of the section as amended is to increase the fines imposed on in the cases of contempt.

*Clause 6* : This clause amends First Schedule to the principal enactment and the legal effect of the amendment is to increase the penalties in respect of the offences under the Penal Code (Chapter 19) specified in that Schedule.

|  |  |
| --- | --- |
| *Penal Code (Amendment)* | 1 |

L.D.—O. 45/2019   
 AN ACTTOAMENDTHE PENAL CODE ( CHAPTER 19 )

BE it enacted by the Parliament of the Democratic Socialist   
Republic of Sri Lanka as follows:-  
 **1.** This Act may be cited as the Penal Code (Amendment) Short title

Act, No. of 2024.

|  |  |  |
| --- | --- | --- |
| 5 | **2.** The sections of the Penal Code (Chapter 19) specified | Amendment |
| 10 | in Column I of the Schedule hereto, are hereby amended by | of certain |
| sections of |
| the substitution for the words specified in the corresponding |
| Chapter 19 |
| entry in column III, of the words specified in the | specified in |
| the Schedule |
| corresponding entry in Column IV of that Schedule for the |
| purpose of increasing penalties imposed in respect of the |

offences specified in Column II thereof.

|  |  |
| --- | --- |
| **3.** For the avoidance of doubt, it is hereby declared that the provisions of section 2 shall not apply in respect of an | Avoidance of doubt |

offence referred to in the Schedule, where such offence was 15 committed prior to the date of coming into operation of this Act.

|  |  |  |
| --- | --- | --- |
| **4.** | In the event of any inconsistency between the Sinhala | Sinhala text to prevail in case of |
| and Tamil texts of this Act, the Sinhala text shall prevail. | |

inconsistency

|  |  |  |
| --- | --- | --- |
| 2 | *Penal Code (Amendment)* | [section 2] |
| **SCHEDULE** |

|  |  |  |  |
| --- | --- | --- | --- |
| *Column I* | *Column II* | *Column III* | *Column IV* |
| *Section* | *Offence* | *Present words* | *Amended words* |
| 137 | Wearing the dress or carrying any  token used by  soldier, sailor or  airman with intent that it may be  believed that he is such soldier, sailor or airman | one hundred rupees | fifty thousand rupees |
| 151 | Owner or occupier of land not giving information of riot, &c. | one thousand rupees | ten thousand rupees |
| 157 | Committing affray | one hundred rupees | ten thousand rupees |
| 165 | Misconduct by  public servant in  Posts or  Telecommunications Department | fifty  rupees | twenty  thousand rupees |
| 169 | Wearing garb or  carrying token used by public servant  with fraudulent intent | one hundred rupees | twenty five thousand  rupees |
| 169E | Bribery in  connection with an election | five hundred rupees | one million rupees |
| If bribery by treating | two hundred rupees | seven hundred fifty thousand rupees |
| 169F | Undue influence at an election | five hundred rupees | one hundred  thousand rupees |
| Personation at an election | three hundred rupees | one hundred  thousand rupees |

*Penal Code (Amendment)*  3

|  |  |  |  |
| --- | --- | --- | --- |
| 169H | Failure to keep  election accounts | three hundred rupees | one hundred  thousand rupees |
| 170 | Absconding to avoid service of summons or order proceeding from a public servant | fifty  rupees | fifty thousand rupees |
| If summons or  notice require  attendance in person, &c., in a Court  of Justice | one hundred rupees | fifty thousand rupees |
| 171 | Preventing the  service or the  affixing of any  summons or notice or the removal of it when it has  been affixed, or  preventing a  proclamation | one month, or with fine which may extend to  fifty rupees | six months, or with fine which may extend to  twenty  thousand  rupees |
| If summons &c., require attendance in person, &c., in a Court of Justice | one hundred rupees | fifty thousand rupees |
| 172 | Not obeying a  legal order to attend at a certain place in person or by agent, or departing  therefrom without authority | one month, or with fine which may extend to  fifty rupees | six months, or with fine  which may  extend to  twenty  thousand  rupees |
| If the order require personal attendance, &c., in a Court  of Justice | one hundred rupees | fifty thousand rupees |

4 *Penal Code (Amendment)*

|  |  |  |  |
| --- | --- | --- | --- |
| 173 | Intentionally  omitting to  produce a  document to a  public servant by a person legally  bound to produce or deliver such  document | one month, or with fine which may extend to  fifty rupees | six months, or with fine  which may  extend to  twenty  thousand  rupees |
| If the document is required to be  produced in or  delivered to a  Court of Justice | one hundred rupees | fifty thousand rupees |
| 174 | Intentionally  omitting to give  notice or information to a public servant by a person legally bound to give such notice or information | one month, or with fine which may extend to  fifty rupees | six months, or which may  extend to  twenty  thousand  rupees |
| If the notice or  information required respects the  commission of an offence, &c. | one hundred rupees | fifty thousand rupees |
| 175 | Knowingly furnishing false information to a public servant | one hundred rupees | fifty thousand rupees |
| 176 | Refusing oath when duly required to  take oath by a  public servant | one hundred rupees | fifty thousand rupees |
| 177 | Being legally  bound to state truth, and refusing to  answer questions | one hundred rupees | fifty thousand rupees |

*Penal Code (Amendment)*  5

|  |  |  |  |
| --- | --- | --- | --- |
| 178 | Refusing to sign a statement made to a public servant  when legally  required to do so | one hundred rupees | twenty thousand rupees |
| 180 | Giving false  information to a  public servant in  order to cause him to use his lawful  power to the injury or annoyance of  any person | one thousand rupees | one hundred thousand  rupees |
| 181 | Resistance to the  taking of property by the lawful  authority of a  public servant | one hundred rupees | fifty thousand rupees |
| 182 | Obstructing  sale of property offered for sale by authority of a public servant | with  imprisonment of either  description  for a term  which may  extend to  one month,  or with fine  which may  extend to  one hundred rupees | with simple  imprisonment for a term  which may  extend to six months, or  with fine  which may  extend to  twenty  thousand  rupees |
| 183 | Obstructing public servant in discharge of his public  functions | with  imprisonment of either  description  for a term  which may  extend to  three  months, or  with fine  which may  extend to  one hundred rupees | with simple  imprisonment for a term  which may  extend to six months, or  with fine  which may  extend to  twenty five  thousand  rupees |

6 *Penal Code (Amendment)*

|  |  |  |  |
| --- | --- | --- | --- |
| 184 | Omission to assist public servant  when bound by  law to give such assistance | one month or with fine which may extend to  fifty rupees | three months or with fine which may  extend to  twenty  thousand  rupees |
| Willfully  neglecting to aid a public servant who demands aid in the execution of process, the  prevention of  offences, &c. | one hundred rupees | one hundred thousand  rupees |
| 185 | Disobedience to an order lawfully  promulgated by a public servant, if  such disobedience causes obstruction, annoyance, or  injury to persons  lawfully employed | one month, or with fine which may extend to  fifty rupees | three months, or with fine  which may  extend to  twenty  thousand  rupees |
| If such  disobedience causes danger to human life health, or  safety, &c. | with  imprisonment of either  description  for a term  which may  extend to six months, or  with fine  which may  extend to  one hundred rupees | with simple  imprisonment for a term  which may  extend to six  months, or  with fine  which may  extend to fifty thousand  rupees |

*Penal Code (Amendment)*  7

|  |  |  |  |
| --- | --- | --- | --- |
| 219A | Resistance or  obstruction to  lawful apprehension under a civil  process | one hundred rupees | twenty thousand rupees |
| 223 | Intentional insult  or interruption to a public servant  sitting in any  stage of a  judicial proceeding | one thousand rupees | fifty thousand rupees |
| 265 | Adulterating food or drink intended for sale so as to  make the same  noxious | one hundred rupees | one hundred thousand  rupees |
| 266 | Selling any food or drink as food and drink, knowing  the same to be  noxious | one hundred rupees | one hundred thousand  rupees |
| 267 | Adulterating any  drug or medical  preparation intended for sale, so as to  lessen its efficacy or to change its  operation, or to  make it noxious | one hundred rupees | one hundred thousand  rupees |
| 268 | Offering for sale, or issuing from a  dispensary, any  drug or medical  preparation known to have been  adulterated | one hundred rupees | one hundred thousand  rupees |
| 269 | Knowingly selling, or issuing from a  dispensary any  drug or medical  preparation as a  different drug or  medical preparation | one hundred rupees | one hundred thousand  rupees |

8 *Penal Code (Amendment)*

|  |  |  |  |
| --- | --- | --- | --- |
| 270 | Defiling the water of a public spring or reservoir | with  imprisonment of either  description  for a term  which may  extend to  three months, or with fine  which may  extend to  fifty rupees | with simple  imprisonment for a term  which may  extend to six months, or  with fine  which may  extend to one hundred  thousand  rupees |
| 271 | Making atmosphere noxious to health | one hundred rupees | one hundred thousand  rupees |
| 272 | Driving or riding on a public way so rashly or negligently as to endanger  human life, &c. | with  imprisonment of either  description  for a term  which may  extend to six months, or  with fine  which may  extend to one  one hundred rupees, or  with both | with fine not  less than  twenty five  thousand  rupees, and  not exceeding fifty thousand rupees, and on a second  conviction to  a fine not less than thirty  thousand  rupees and not exceeding  seventy five  thousand  rupees and the suspension of his driving  licence, and  on a third or  subsequent  conviction to  a fine not less than seventy  five thousand |

*Penal Code (Amendment)*  9

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | rupees or to  rigorous  imprisonment for a term not exceeding six months or to both such  fine and  imprisonment and the  cancellation  of his driving licence |
| 273 | Navigating any  vessel so rashly or negligently as to endanger human life, &c | one hundred rupee | fifty thousand rupees |
| 275 | Conveying for hire any person by  water in a vessel  in such a state,  or so loaded, as  to endanger his  life | one hundred rupees | fifty thousand rupees |
| 276 | Causing danger, obstruction, or  injury in any  public way or  line of navigation | with fine  which may  extend to one hundred  rupees | with fine  which may  extend to fifty thousand  rupees |
| 277 | Dealing with any poisonous  substance so as to endanger human life, &c. | one hundred rupees | fifty thousand rupees |
| 278 | Dealing with fire, or any combustible matter, so as to  endanger human  life, &c. | one hundred rupees | fifty thousand rupees |

10 *Penal Code (Amendment)*

|  |  |  |  |
| --- | --- | --- | --- |
| 279 | Dealing with any  explosive substance so as to endanger  human life, &c. | one hundred rupees | seventy five  thousand rupees |
| 280 | Dealing with any machinery so as to endanger human  life, &c. | one hundred rupees | fifty thousand rupees |
| 281 | A person omitting to guard against  probable danger to human life by the  fall of any building over which he has a right entitling him to pull it down or  repair it | one hundred rupees | fifty thousand rupees |
| 282 | A person omitting to take order with any animal in his possession, so as  to guard against  danger to human life, or of grievous hurt, from such  animal | one hundred rupees | twenty  thousand rupees |
| 283 | Committing a  public nuisance | fifty rupees | twenty  thousand rupees |
| 314 | Voluntarily causing hurt | one thousand rupees | fifty  thousand rupees |
| 325 | Voluntarily causing hurt on grave and  sudden provocation, not intending to  hurt any other  than the person who gave the provocation | fifty rupees | twenty  thousand rupees |

*Penal Code (Amendment)*  11

|  |  |  |  |
| --- | --- | --- | --- |
| 326 | Causing grievous  hurt on grave and  sudden provocation, not intending to hurt any other than the  person who gave the provocation | two thousand rupees | fifty thousand rupees |
| 327 | Doing any act rashly or negligently which endangers human life or the personal safety of others | one hundred rupees | one hundred  thousand rupees |
| 328 | Causing hurt by  doing an act rashly or negligently which endangers human  life, &c | one hundred rupees | one hundred  thousand rupees |
| 329 | Causing grievous hurt by doing an act rashly or  negligently which endangers human life, &c. | one thousand rupees | one hundred fifty thousand rupees |
| 332 | Wrongfully  restraining any person | fifty rupees | fifty thousand rupees |
| 333 | Wrongfully  confining any person | one thousand rupees | five hundred  thousand rupees |
| 343 | Assault or use of criminal force;  otherwise than on grave provocation | fifty rupees | fifty thousand rupees |
| 348 | Assault or use of  criminal force in  attempt wrongfully to confine a person | one thousand rupees | five hundred thousand  rupees |

12 *Penal Code (Amendment)*

|  |  |  |  |
| --- | --- | --- | --- |
| 349 | Assault or use of criminal force on grave and sudden provocation | fifty rupees | twenty  thousand rupees |
| 433 | Criminal trespass | one hundred rupees | one hundred  thousand rupees |
| 434 | House trespass | one thousand rupees | one hundred fifty thousand rupees |
| 450 | Being found in a building for  unlawful purpose | fifty rupees | twenty  thousand rupees |
| 451 | Loitering about by reputed thief | fifty rupees | twenty  thousand rupees |
| 487 | Criminal  intimidation  by anonymous  communication or having taken  precaution  to conceal whence the threat comes | two years | two years,  or with fine, or with both |

|  |  |
| --- | --- |
| *Penal Code (Amendment)* | 13 |

Department of Government Printing