



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

CODE OF CRIMINAL PROCEDURE
(AMENDMENT)

ACT, No. 68 OF 1979

[Certified on 19th November, 1979]

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Code of Criminal Procedure (Amendment)

Act, No. 68 of 1979

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L.D.—O. 49/79

**AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE ACT,
No. 15 OF 1979, WITH A VIEW TO RESOLVING CERTAIN DOUBTS
THAT HAVE ARISEN IN RELATION TO THE GRANTING OF BAIL.**

**BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows :—**

1. This Act may be cited as the Code of Criminal
Procedure (Amendment) Act, No. 68 of 1979. **Short title.**

2. Section 115 of the Code of Criminal Procedure Act,
No. 15 of 1979 (hereinafter referred to as the "principal
enactment") is hereby amended by the repeal of subsection
(3) of that section and the substitution therefor of the
following new subsection :— **Amendment
of section
115 of
Act No. 15 of
1979.**

"(3) Subject to the provisions of the Criminal
Procedure (Special Provisions) Law, No. 15 of 1978, a
Magistrate shall not release on bail or otherwise any person
who has—

(a) surrendered himself to court, or

(b) been arrested ;

consequent on an allegation that he has committed or has
been concerned in committing or is suspected to have
committed or to have been concerned in committing an
offence punishable under sections 114, 191 and 296 of the
Penal Code :

Provided however that such person shall, subject to the
provisions of the Criminal Procedure (Special Provisions)
Law, No. 15 of 1978, be released on bail if proceedings are
not instituted against him in a Magistrate's Court or the High
Court before the expiration of a period of three months
from the date he surrendered to court or is arrested unless
the High Court on application made by the Attorney-General
directs otherwise :

Provided further that the High Court may, subject to the
provisions of the Criminal Procedure (Special Provisions)
Law, No. 15 of 1978, in special circumstances release such
person on bail before or after the expiration of the period of
three months referred to in the preceding provisions of this
subsection."

3. The amendment made to the principal enactment by
section 2 of this Act shall be deemed for all purposes to
have come into operation on the date of coming into
operation of the principal enactment.

**Retrospec-
tive opera-
tion of
section 2.**

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