

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

*In the matter of an Application for mandates in the  
nature of writs of Certiorari and Prohibition under  
and in terms of Article 140 of the Constitution of  
the Democratic Socialist Republic of Sri Lanka*

**Mohammad Nadeen Basik,**  
No. 58/A, Warnarathna Road,  
Dehiwala.

**CA/WRIT No. 162/24**

**PETITIONER**

Vs

1. Officer in Charge  
Police Narcotic Bureau,  
40, Main Street,  
Colombo 11
2. Director  
Police Narcotic Bureau  
40, Main Street,  
Colombo 11
3. Inspector General of Police  
Police Headquarters,  
Colombo 01
4. The Hon. Attorney General  
Attorney General's Department  
Colombo 12

**Respondents**

Before: **M. T. MOHAMMED LAFFAR, J. (P/CA- Acting).**  
**K. M. S. Dissanayake, J.**

Counsel: Asoka Weerasoriya with Hariguptha Rohandera and Pasan  
Karunarathna for the Petitioner

Shanaka Wijesinghe, A. S. G, P. C. for the State.

Supported and Argued on: 18.02.2024

Decided on: 07.03.2025

**MOHAMMED LAFFAR, J. (President of The Court of Appeal- Actg)**

When this matter was mentioned in Court on 18/02/2025, the learned Counsel for the Petitioner sought permission from this Court for the Petitioner to travel to Singapore for rehabilitation for a period of 2 months.

The Learned Additional Solicitor General appearing for the Respondents objected to that application. This order is pertaining to the foregoing application made by the learned Counsel for the Petitioner.

The Petitioner is seeking *inter alia* mandates in the nature of a Writ of Certiorari quashing the decision to arrest the Petitioner by the 1<sup>st</sup> Respondent OIC, Police Narcotic Bureau and a Writ of Prohibition preventing the Respondents from naming

the Petitioner as suspects in respect of the facts in case bearing No. B10159/2024 before the Magistrates Court of Maligakanda.

On 15/03/2024, this Court issued interim orders as prayed for in paragraph g), h), and i), of the prayers to the Petition. Accordingly, the Respondents are restrained from arresting or taking any action against the Petitioner in the aforesaid case before the learned Magistrate. Moreover, the interim orders were issued subject to a travel ban imposed on the Petitioner. Thereafter, the learned Counsel for the Petitioner sought permission for the Petitioner to leave to Singapore for medical treatment. Since the State has objected to such application the matter was fixed for inquiry. After inquiry, this Court permitted the Petitioner to travel to Singapore for medical treatment. It is born out from the case record that the Petitioner has with permission of this Court travelled on two or more occasions to Singapore for medical treatment and returned to the island. In those circumstances, it appears to this court that it is reasonable and appropriate to allow this application. The attention of this Court is drawn to the report filed by the Judicial Medical Officer dated 17/02/2025 wherein it is stated that rehabilitation, physiotherapy can be done in Sri Lanka. Since the surgeries have already been performed in Singapore, it is appropriate to obtain rehabilitation and physiotherapy in Singapore as well.

Having considered the submissions made by the learned Counsel for the Petitioner and the learned Additional Solicitor General for the Respondents, this Court decided to allow the Petitioner to travel abroad, who is a suspect in case bearing No. B10159/24 in the Magistrate's Court of Maligakanda and a suspect in case bearing No. B51885/05/21 in Chief Magistrate's Court of Colombo only for two months from the date of this Order.

Thus, the travel ban is lifted only for a period of two months from the date of this Order after depositing a sum of Rs. 1,000,000.00 in cash in each case and with two sureties for Rs. 2,000,000.00 each. The same sureties can be considered in both Courts. The Petitioner should deposit Rs. 1,000,000.00 cash separately in both cases as those two matters are pending in two different Courts.

Immediately upon return to Sri Lanka, the Petitioner is directed to report to the Magistrate's Court of Maligakanda and the Chief Magistrate Court of Colombo.

The Registrar is directed to communicate this Order to the Magistrates Court of Maligakanda, the Chief Magistrate's Court of Colombo, the Duty Officer of the Bandaranaike International Airport, and the Commissioner General of the Department of Immigration and Emigration.

Matter to be mentioned on

**JUDGE OF THE COURT OF APPEAL**  
**President Court of Appeal (Acting)**

**K. M. S. Dissanayake, J.**

I agree

**JUDGE OF THE COURT OF APPEAL**