

IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST

REPUBLIC OF SRI LANKA.

In the matter of an application
for revision under and in terms
of Section 11 (1) of the High
Court of the Provinces (Special
Provisions) Act No. 19 of 1990,
read with Section 20 (2) of the
Bail Act No. 30 of 1997.

CA Case No: **CA/REV/01/20**

The Democratic Socialist
Republic of Sri Lanka.

PHC (Colombo) Case No:

Plaintiff

HC 5825 / 2011

Vs.

1.Liyana Arachchige Manoj
Bimsara Disanayake.

2.Padagala Vitharana Mudalige
Siriweera Bandara Udovita.

Accused

Then

Liyana Arachchige Manoj
Bimsara Dissanayake,

1st Accused – Appellant

Vs.

Hon. Attorney General,

Attorney General's Department,

Colombo 12.

AND NOW BETWEEN

Liyana Arachchige Manoj
Bimsara Dissanayake,

**1st Accused – Appellant –
Petitioner**

Vs.

Hon. Attorney General,

Attorney General's Department,

Colombo 12.

Respondent – Respondent

Before – Menaka Wijesundera J.

Neil Iddawala J.

Counsel – Kalinga Indatissa, PC with Harin Saddhasena.

Ms. Rashmini Indatissa, Samantha Premachandra,

Ms. Razana Salih and Malintha Jayasinghe for the Accused –

Appellant – Petitioner.

Janaka Bandara, S.S.C with Ms.Chathurangi Mahawaduge, SC

for the Respondents – Respondents.

Argued On – 29.06.2021

Decided On – 20.07.2021

MENAKA WIJESUNDERA J.

The instant application and the Rev application 1 /20 were filed to obtain bail pending appeal to the petitioner in the High Court cases **81/18 and 5825/11** of Colombo.

As the applications proceeded the Presidents Counsel appearing for the petitioner submitted to Court that he would be interviewing the Attorney General regarding their objection for bail for the petitioner, but the Counsel appearing for the Attorney General tendered to Court that they have no objection for the petitioner being enlarged on bail in both cases, on suitable conditions, but the orders in the instant cases should not be used as a precedent in other cases.

Having considered the submissions of both parties and the fact that had the petitioner served the jail terms , in both cases he would be out of

prison by now, and the non-objection of the respondents, this Court decides to enlarge the petitioner on bail pending the appeal on the following conditions,

- 1) A cash bail of Rs 100000/ for each case,
- 2) Two sureties to the value of Rs 500000/ each case ,
- 3) Petitioner to report to the relevant police station on every 4th Sunday of each month for both cases
- 4) The petitioner to surrender his passport to the relevant High Court.

The registrar of this Court to convey this order to the relevant High Court.

Judge of the Court of Appeal.

I agree.

Neil Iddawala J.

Judge of the Court of Appeal.