

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

In the matter of an Application in terms of Article 126 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

SC/FRA/79/2019

1. Meringnage Sugandi Dinesha Priyangani Fernando.
2. Meringnage Mangala Pushpakumara Fernando.
Both of No. 618, Athgala, Gampola West.

ORIGINAL PETITIONERS

Loku Kumarage Janidu Wathsara,
No. 618, Athgala, Gampola West.

PETITIONER

Vs.

1. S. Akbar, Sub Inspector of Police,
Officer-in-Charge, Police Post,
Athgala, Gampola.
2. Jayantha Gunawardane,
Headquarters Inspector,
Police Station, Gampola.

3. W.G. Ginige,
Superintendent of Police,
Office of Superintendent of Police,
Mahara, Gampola.

4. Pujitha Jayasundara,
Inspector General of Police,
Police Headquarters,
Colombo.

5. Government Analyst,
Government Analyst Department,
Colombo.

6. Hon. Attorney General,
Attorney General's Department,
Colombo 12.

RESPONDENTS

Before : Mahinda Samayawardhena, J.

: Sampath B. Abayakoon, J.

: M. Sampath K. B. Wijeratne, J.

Counsel : Petitioner appeared in person

: Induni Punchihewa, S.C. for 1st – 3rd and 6th
Respondents.

Argued on : 06-08-2025

Written Submissions : 17-09-2025 (By the Petitioner)

: 24-10-2025 (By the 1st – 3rd and 6th Respondents)

Decided on : 17-11-2025

Sampath B. Abayakoon, J.

The original petitioners filed this fundamental rights application stating that they are initiating this application on behalf of minor Loku Kumarage Janidu Wathsara, alleging that 1st to 4th respondents violated the fundamental rights of the said minor guaranteed under the Constitution.

The original petitioners are siblings. The 1st petitioner is the mother of the earlier mentioned minor, while the 2nd petitioner is the uncle, being the brother of the 1st petitioner.

The original petitioners have filed this application on their own motion without any legal assistance, and throughout the case, the original petitioners represented the minor on their own, while it was the 2nd petitioner who made submissions to the Court in relation to their application.

When this matter was considered for the granting of leave on 06-06-2019, this Court granted leave to proceed for alleged violations of the said minors' fundamental rights guaranteed under Article 12(1) and 13(1) of the Constitution limiting it only against the 1st, 2nd and 3rd respondents named in the petition.

Before leave to proceed was granted, having considered the fact that the petitioners are representing themselves, this Court directed the Hon. Attorney General to call for a report in relation to the alleged arrest and also a report whether the productions allegedly taken from the custody of the said minor had been sent to the Government Analyst, and if so, the Government Analyst Report. The 1st respondent named in the application has filed his objections by way of an affidavit, and after the matter was fixed for argument, the 2nd petitioner has filed written submissions to be filed of record.

It needs to be noted that when this matter was taken up for hearing on 21-09-2022, the learned State Counsel who represented the respondents had brought to the notice of the Court that the minor on whose behalf the petitioners have initiated this application is now a major and 21 years of age at that time, and therefore, the petitioners are not in a position to proceed with this application in the capacity they came before the Court.

This has resulted in this Court issuing a notice on the said Loku Kumarage Janidu Wathsara to be present in Court on the next date, and on 26-01-2023, it has been ordered that he should file an affidavit disclosing the full details of the incident and the alleged violations. Although the said order has been made on the basis that he is the 3rd added petitioner, there has been no specific order in that regard. It appears that the said person has not filed a separate affidavit as directed either.

When this matter was taken up for argument on 06-08-2025, it was again intimated to the Court by the learned State Counsel who represented the 1st, 2nd and 3rd respondents, and the Hon. Attorney General who was named as the 6th respondent, that the minor on whose behalf this action has been initiated has now become a major, and therefore, the 1st and 2nd petitioners no longer have any *locus standi* to represent him before the Court.

Since the two original petitioners and the person on whose behalf the action was initiated were present in Court, this Court explained the legal position in this regard to all three of them in Sinhala language. It was specifically informed that the petitioners can no longer represent the said minor who is now a major, and it is only he who can proceed with this action now. The options available to him to represent himself or to obtain legal assistance through an Attorney-at-Law of his choice or the option of obtaining legal assistance from the Legal Aid Commission were also explained. Having understood the legal position explained to them, the minor, who is now a major, informed the Court that since the original petitioners have filed extensive written submissions clarifying their case, it is his wish to obtain a judgment based on written submissions. The learned State Counsel who represented the 1st to 3rd and 6th respondents named in the petition also

intimated to the Court that she would also file written submissions as to their stand. Accordingly, all parties were allowed to file further written submissions in relation to this application.

It needs to be noted that when the argument of this matter was taken up before this Court on 06-08-2025, in the journal entries of that day, this Court has inadvertently referred to the minor mentioned originally in the petition as the 3rd petitioner, whereas, he has not been referred to as such in the original petition or the original petition has not been specifically amended by naming him as the 3rd petitioner.

Having considered the fact that the original petitioners have filed this application on their own, and in view of the present adult status of the minor mentioned in the petition, the caption of the petition should stand amended referring to the petitioners as original petitioners and thereafter, naming the minor on whose behalf this action was filed, namely Loku Kumarage Janidu Wathsara, as the petitioner for the purposes of determining this fundamental rights application.

The facts relating to this application as alleged in the petition can be summarized in the following manner.

The petitioner has been living with the parents of the original petitioners, since his mother (the 1st original petitioner) and father were divorced, and his mother has remarried. At the time of this incident, he had been a 17-year-old studying in the Advanced Level class at his school. His birth certificate confirms that he was 17 years and two months old at the time of his arrest.

According to the events as narrated, on 02-02-2019, at around 7.00 p.m. the petitioner, along with the 2nd husband of the 1st original petitioner, was in the process of learning to ride a motorcycle in front of the road adjacent to the ancestral home of the original petitioners. While they were engaged in that task, a three-wheeler has come and the 1st respondent, along with two others in civilian clothes, had stopped the three-wheeler in front of them and had dragged the petitioner into the three-wheeler and had driven away. Without knowing what happened, the original petitioners had gone to the Gampola

Police Station immediately, where they had come to know that the petitioner had been arrested by the Gampola Police.

It has been alleged that the persons who arrested the petitioner came while concealing their identity and never explained the reasons for his arrest to the husband of the 1st original petitioner who was present at the time of the arrest. The said husband has given an affidavit marked P-5, explaining the manner in which the petitioner, who was then a minor, was taken into custody. It is on that basis it has been alleged that the petitioner's fundamental rights guaranteed under Article 13(1) of the Constitution have been violated.

Further, it has been alleged that the police did not provide any information about the petitioner until 01.00 a.m. in the morning of 03-02-2019, and at that time, the original petitioners and their relatives who were present at the police station have seen the 1st respondent and another officer escorting the petitioner from the upper floor of the police station to the ground floor, and taking him to the police lockup. It is alleged that when they were allowed to talk to the petitioner, it was informed by him that the 1st respondent assaulted him severely, demanding him to show where the drugs were and had later put a packet of drugs into his pocket and forced him to sign several documents. It is alleged that the original petitioners and their relatives clearly saw the marks of assault on the face of the petitioner.

It has been stated that the petitioner was produced before the Acting Magistrate of Gampola under B-Report No. B123/19 on 03-02-2019 marked P-7 along with the application, and they came to know that the said B-Report has been filed on the basis that 2.25 grams of Heroin was recovered from the possession of the petitioner, which made it impossible for the petitioner to obtain bail until the Government Analyst Report was available.

It has been alleged that no Heroin was recovered and the petitioner was never taken to a jewellery shop in order to weigh the alleged productions as stated in the B-Report. It has also been alleged that the police failed to inform the learned Magistrate that the petitioner was a minor at that time, which has resulted in him being remanded as a normal adult person.

It has been alleged that since the prison officials informed the original petitioners that the petitioner cannot be kept under normal remand custody since he is a minor, they had to file a motion before the Magistrate's Court, which resulted in the learned Magistrate directing that the petitioner to be held in a children's home. The original petitioners have stated in their original petition as to what steps they took in relation to this arrest, claiming that the petitioner's fundamental rights guaranteed under the Constitution had been violated due to the fabrications and the illegal arrest and assault of the petitioner by the police.

Although leave to proceed has been granted against the 1st, 2nd, and 3rd respondents mentioned in the petition, the contents of the petition clearly show that the allegation of the violation of fundamental rights is only directed against the 1st respondent mentioned, who has been the Officer-in-Charge (OIC) of a police post situated at Athgala, Gampola, which appears to be a post established within the jurisdiction of the police area of Gampola.

It appears that the 2nd and the 3rd respondents have been named because of the fact that the 2nd respondent is the Headquarters Inspector (HQI) of Gampola Police, and the 3rd respondent is the Superintendent of Police (SP) of Gampola police division.

The 1st respondent has filed an objection in relation to the application in the form of an affidavit dated 23-07-2020 and has denied the averments contained in the petition alleging that he infringed the fundamental rights of the petitioner.

He has stated that upon receiving information regarding possession of drugs, he left the Gampola police station at 20.07 hours on the orders of his HQI along with two other Police Constables after entering the necessary out entry. He has stated that he was in his official uniform while the other two officers who accompanied him were in civil attire. He has claimed that upon locating the suspect mentioned in the information, the suspect was stopped and questioned, and due to the suspicions arose in the way he answered his questioning, he searched him and found a parcel containing a substance,

which he identified as Heroin. He also said that upon further search of the suspect, he found two mobile phones, and in his wallet, there were two receipts of money deposited in a bank amounting to Rs. 83,000/- and Rs. 50,000/-, Rs. 560/- in cash, and an Identity Card belonging to another person.

Thereafter, he has arrested the suspect, who is now the petitioner before the Court, at 22.00 hours on 02-02-2019 for the possession of Heroin and for the possession of an Identity Card that did not belong to him.

He has stated that at the time of the arrest, he specifically informed the suspect the reason for his arrest. In order to substantiate these facts, he has tendered the out entry entered in the information book of the police station and the return note marked as 1R1 and 1R1A respectively, and a copy of the arrest notes made marked as 1R2.

It has been stated that after the arrest, he proceeded along with the suspect to the Gampola Gold Garden Jewellery Store and informed the owner of the store to come and weigh the productions. When weighed, it has been found that the substance had a weight of 2 grams and 25 milligrams. It has been his position that after returning to the Gampola police station, he handed over the suspect to the Reserve Officer and the necessary entries were made [1R1(A)].

According to him, he has recorded the statement of the suspect at 06.00 hours on 03-02-2019, and had thereafter, produced him before the Magistrate's Court of Gampola under the mentioned B-Report where the suspect was remanded. He has claimed that he proceeded to conduct further investigations as to the suspect by obtaining his telephone records and other details, and the Government Analyst Report (1R3) dated 23-04-2019 confirmed that the productions recovered from the possession of the suspect in fact had a pure quantity of 36 milligrams of Diacetylmorphine.

Submitting the document marked 1R4, which is a certificate issued by the principal of the school attended by the petitioner, it has been contended that

although it has been claimed that the petitioner was a studious student at his school, he was not a person who attended school regularly.

Denying the allegation that the petitioner was not given food after his arrest by the police, the 1st respondent has tendered a copy of the relevant page of the book maintained at the police station in relation to the providing of food to the petitioner marked as 1R5 to substantiate that food was provided to him at 09.00 hours on 03-02-2019.

The 1st respondent has admitted that he did not mention the fact that the petitioner was a minor in the B-Report filed before the Magistrate's Court, however it was his position that since the petitioner was represented by a lawyer, that fact may have been conveyed to the learned Magistrate by his Counsel. It has been his position that upon the conclusion of his investigations, the matter was reported to the Hon. Attorney General for advice in May 2019 and upon the advice received by the Hon. Attorney General of the letter dated 07-05-2019, the petitioner was charged in terms of section 78(1)(a) and section 78(5)(a) of the Poisons, Opium and Dangerous Drugs Ordinance before the Magistrate's Court of Gampola. The 1st respondent has stated in his affidavit dated 23-07-2020 that the matter is fixed for trial on 26-08-2020.

It has been the position of the 1st respondent that he acted at all times according to the law and not with any prejudice, bias and/or ulterior motives towards the petitioner, and has denied the allegations against him made by the original petitioners in their affidavit filed before the Court.

He has also averred that this is an attempt by the original petitioners to mislead this Court with numerous documents that are irrelevant to this application and an attempt to circumvent the due process of law in respect of the conduct of the suspect arrested by him.

Although the original petitioner has been allowed to file counter objections in relation to the objections filed by the 1st respondent, it has not been complied with, even though the original petitioners have filed several other documents to substantiate their original petition.

It needs to be noted that when this matter was taken up before the Court on 26-03-2019 in order to consider granting of leave to proceed, this Court having observed the investigation notes filed in this regard and the statement made by the petitioner to the police after his arrest, has observed that facts revealed in his statement as to certain financial transactions need further investigations, which has resulted in ordering that further investigations should be carried out in that regard.

Having considered the above relevant factual matters, I will now focus my attention on the provisions of the Constitution under which leave to proceed in relation to this application has been granted.

Leave to proceed has been granted in terms of Article 12(1) under the Right to Equality, which reads as follows,

12(1). All persons are equal before the law and are entitled to the equal protection of the law.

Leave to proceed has also been granted in terms of Article 13(1) of the Constitution, which reads,

13(1). No person shall be arrested except according to procedure established by law. Any person arrested shall be informed of the reason for his arrest.

When considering the Articles under which leave to proceed has been granted, it is clear that although the original petitioners have claimed that the petitioner was assaulted and subjected to degrading treatment, this Court has not been inclined to grant leave to proceed in terms of Article 11 of the Constitution which provides that no person shall be subjected to torture or to cruel, inhumane or degrading treatment or punishment. This may be so because this Court was not satisfied that the petition reveals sufficient material to grant leave to proceed in terms of the said Article.

Having made the above observations, I will now proceed to consider whether there is material to come to a finding that the actions of the 1st respondent in arresting the petitioner amount to an infringement of Article 13(1) of the

Constitution before I proceed to consider the provisions of Article 12(1) since the entire petition revolves around an alleged arrest of the petitioner on a charge of possessing an unlawful substance.

The degree of proof that is required in a case of fundamental rights violation has been considered in the case of **Velmurugu Vs. The Attorney General and Another (1981) 1 SLR 406** where it was held,

1. The test applied is the degree of proof, that is, preponderance of probability, used in civil cases which is not so high as is required in criminal cases. But there can be degrees of probability within this standard. The degree depends on the subject matter. Where the allegation is a serious one of torture and inhumane treatment by the executive and administrative authorities of the state, a high degree of probability which is proportionate to the subject matter is necessary.

Soza, J. elaborated further as to the standard of proof in a fundamental rights application in the case of **Gunawardena Vs. Perera and Others (1983) 1 SLR 305** in the following manner,

“...That the standard of proof should be preponderance of probabilities as in a civil case. It is generally accepted that within this standard there could be varying degrees of probability. The degree of probability required should be commensurate with the gravity of the allegation sought to be proved. This court when called upon to determine questions of infringement of fundamental rights will insist on a high degree of probability as for instance a court having to decide a question of fraud in a civil suit would. The conscience of the court must be satisfied that there has been an infringement.”

In this regard, the petitioner does not dispute the fact that he was arrested on the day of his arrest. The only difference between the versions of the petitioner and that of the 1st respondent who conducted the raid that led to his arrest relates to the time of the arrest and the mode of transport the 1st respondent used to travel to the place of arrest and whether the 1st respondent

and his team were in civilian clothes as alleged by the original petitioners. Whether the petitioner was not informed as to the reasons for his arrest is another question that needs determination.

I find that when it comes to the facts with regard to this factual matter, the only way the Court can come to a finding is by considering both the versions as placed before the Court by the parties and by coming to a finding whose version is more probable and can be believed. In this regard, it is the totality of the facts that should be considered, having in mind, the pending Magistrate's Court action instituted based on the raid conducted by the 1st respondent. The manner in which the original petitioners presented the petition to this Court is also a relevant factor, in my view.

The official notes of the raid reveal that the petitioner has been arrested after informing him of the possible charges. There is no dispute that he was produced before a Magistrate within the stipulated time provided for the police to detain him, and accordingly, remanded. Though the original petitioners have complained about the arrest, neither them nor the petitioner has explained the allegation that at the time of his arrest, he had in his possession an Identity Card belonging to someone else, which has later been revealed as belonging to his uncle who was in remand prison at that time, and also two receipts relating to the depositing of unusually large amounts of money, which a young person of petitioner's age cannot be expected to have. I am unable to believe that they were unaware of the facts reported to the Court as they have obtained copies of large number of documents relating to this case which they have filed of record.

The 1st respondent has stated in his affidavit that based on the Government Analyst Report, a plaint was filed against the petitioner in the Magistrate's Court under the Poisons, Opium and Dangerous Drugs Ordinance and the case is pending. Although that fact may not have been within the knowledge of the original petitioners when they filed this fundamental rights application, it is a matter well within the knowledge of them and the petitioner at the time the 1st respondent filed this objection. Although the petitioner has been allowed to file a response to it by way of a counter objection, he has failed to

tender such. Though they have filed several additional documents, they have failed to divulge what happened to the Magistrate's Court case against the petitioner.

In view of the large number of documents they have obtained and filed before the Court, I am unable to find any reason as to why they did not obtain a copy of the Magistrate's Court case if the case was concluded in favour of the petitioner or if it is still pending.

In my view, the only assumption that can be reached is that the case is still pending and commenting on the factual matters that can come up before the trial Court would be *sub-judice* as whatever the comment of this Court may have a bearing on the outcome of the Magistrate's Court case.

It is the stand of the 1st respondent that when he arrested the petitioner, he informed him of the possible charges. The original petitioners had not been at the place of the arrest, but it was the 1st original petitioner's husband who has tendered an affidavit marked P-5 along with the petition to substantiate the version of arrest made by the original petitioners.

When this matter was considered for the granting of leave, the observations of this Court made on 26-03-2019 show that the Court was also mindful of the statement made by the petitioner to the police after his arrest in relation to the financial transactions mentioned and other matters revealed, which warrants further investigation.

In my view, it is under these circumstances whether the claim of the original petitioners that the petitioner was arrested without informing him of any charges or in the manner in which as they allege the arrest was made, it need to be considered as to which version in that regard can be given more weight over the other.

In SC (F/R) Application No. 221/2015 decided on 24-10-2023 Aluwihare, PC, J. observed,

"A particular form is not required for the notification, nor does it require a complete or detailed description of the charges against the suspect. The

requirement is for the arrested person to be told in simple, nontechnical language the essential legal and factual grounds for the arrest at the earliest reasonable opportunity. It is apparent that the Respondents informed the Petitioner the reasons for the arrest – vide the arrest notes marked “3R3”, which state that the Petitioner was arrested for committing the Offence of Criminal Breach of Trust and that she was informed of the reasons.”

The original petitioners have claimed that those who came to arrest the petitioner came in a three-wheeler while concealing their identity and forced the petitioner into it and left. Under the circumstances, the fact that the petitioner had been a 17-year-old at the time of his arrest, and also the fact that the raiding police party knew they were conducting a drug raid, and whether there was a necessity for the police to abduct the petitioner as if they were carrying out an illegal operation and to make notes falsely as claimed by the original petitioners, are matters that need consideration.

I am of the view that the 1st respondent had sufficient reasons to arrest the petitioner as the facts reveal.

In the case of **SC (F/R) Application No. 221/2015 (Supra)**, it was observed further,

*“In order to effect an arrest, a reasonable suspicion must be entertained in the mind of the Police Officer. The test is objective, and an arrest made purely on subjective grounds or on a general or vague suspicion would be arbitrary. The requirement is limited and is not equated with *prima facie proof of the commission of the offence.*”*

It was held in the case of **Channa Pieris and Others Vs. the Attorney General and Others (1994) 1 SLR 1 at P. 46-47**,

“A reasonable suspicion may be based either upon matters within the officer’s knowledge or upon credible information furnished to him, or upon a combination of both sources.”

“However, the officer making an arrest cannot act on a suspicion founded on mere conjecture or vague surmise. His information must give rise to a reasonable suspicion that the suspect was concerned in the commission of an offence for which he could have arrested a person without a warrant. The suspicion must not be of an uncertain and vague nature but of a positive and definite character providing reasonable ground for suspecting that the person arrested was concerned in the commission of an offence.”

For the reasons considered as above, I am unable to come to a finding that the 1st respondent has failed to sufficiently explain the reasons for the arrest of the petitioner at the time of his arrest.

The original petitioners have emphasized that the petitioner being a minor at the time of his arrest, the 1st respondent failed to adhere to the necessary procedural steps with regard to a minor as required by law.

Admittedly, the petitioner was 17 years and 2 months old at the time of his arrest.

As per the Age of Majority (Amendment) Act No.17 of 1989, the age of majority has been defined as 18 years. In terms of the National Child Protection Authority Act No. 50 of 1998, a child has been identified as someone under the age of 18 years. Penal Code (Amendment) Act No. 22 of 1995 defines a child as a person who has not attained the age of 18 years.

However, at the time of the arrest of the petitioner, the relevant Act under which the 1st respondent should have acted, if he was a minor, would be in terms of section 17 of the Children and Young Person’s Ordinance No. 48 of 1939 (CYPO) as amended up to the date of the arrest of the petitioner.

Although the earlier mentioned statutes provide, as it is commonly accepted now, anyone under 18 years of age should be treated as a child, the provisions of CYPO have given a different interpretation to the word child and young person under the Ordinance. In terms of section 88, which is the interpretation section of CYPO, a “child” means a person under the age of 14

years while a “Young Person” means a person who has attained the age of 14 years and is under the age of 16 years.

Although CYPO underwent drastic changes under the Children and Young Persons (Amendment) Act No. 39 of 2022 which came into effect from 1st January 2024 in terms of Government Gazette No. 2366/09 dated 08-01-2024, the said amendment has no applicability to the instant application. Under the amendment, CYPO has been named as the Children’s Ordinance and a child has been defined as a person of 18 years of age falling in line with other relevant statutes.

When it comes to the matter under consideration, the arresting officer only has to act under section 17 of CYPO if the arrested person was a child or a young person. Therefore, it is my view that since the petitioner was more than 17 years of age at the time of his arrest, no liability can be imposed upon the 1st respondent for not specifically informing his age to the learned Magistrate in the B-Report filed in that regard.

However, the copy of the warrant of detention marked and produced as P-41 shows that, the fact of the petitioner being a person of under 18 years of age has been drawn to the attention of the learned Acting Magistrate before whom the petitioner was produced. As a result, the learned Acting Magistrate has ordered that the petitioner should be kept separately from other remand prisoners. It appears that subsequently, it has been ordered that the petitioner should be kept in a children’s home, apparently due to an application made in that regard.

There again, I am unable to find that the 1st respondent has committed an illegality when he produced the petitioner before the Court.

Next matter that needs attention of the Court is whether Article 12(1) has been violated by the 1st respondent.

As I have considered earlier, this Court has not granted leave to proceed in terms of Article 11 of the Constitution after having considered the relevant material placed before the Court in that regard. Therefore, in my view,

considering Article 11 along with Article 12(1) would not arise on this occasion.

The petitioner has been arrested on an alleged charge of possessing illegal drugs and an Identity Card not belonging to him, and he has been charged before the Magistrate's Court. There is no allegation that the petitioner was kept under police custody more than necessary and it is clear that he has been produced before the Court within the stipulated time period. The investigation notes produced before this Court provide *prima facie* material to conclude that the police had followed the due procedural steps after the arrest and had conducted investigations based on the material found in the possession of the petitioner.

Apart from denying that he was arrested while possessing an illegal drug as claimed by the 1st respondent, there had been no specific denial as to the other material taken from him by the police, which warrants further investigations. Whether the charge or charges that had been preferred against the petitioner have been proved beyond reasonable doubt or not is a matter for the trial Court in my view, and not a matter upon which this Court can pronounce a judgment. After his arrest, the productions had been duly sent to the Government Analyst and a plaint has been filed without delay. Although the original petitioners and the petitioner in his written submissions had levelled various allegations against all stakeholders involved in the judicial process, I am unable to find that as a reason to conclude on the alleged fundamental rights violation of the petitioner by the 1st respondent.

There is no material before the Court that the 2nd and 3rd respondents have violated the fundamental rights of the petitioner. As I have considered in detail, I do not find reasons to conclude that the 1st respondent, while in the process of arresting and detaining the petitioner, has violated his fundamental rights guaranteed in terms of Articles 12(1) and 13(1) of the Constitution.

Accordingly, this fundamental rights application is dismissed for want of sufficient merit.

There will be no costs.

Judge of the Supreme Court

Mahinda Samayawardhena, J.

I agree.

Judge of the Supreme Court

M. Sampath K. B. Wijeratne, J.

I agree.

Judge of the Supreme Court