

[COURT OF CRIMINAL APPEAL.]

1942

Present : Wijeyewardene J.

THE KING *v.* KEERALA.

IN THE MATTER OF AN APPLICATION FOR BAIL IN  
M. C. ANURADHAPURA, 6,051

*Court of Criminal Appeal—Bail—Exceptional circumstances.*

The Court of Criminal Appeal does not grant applications for bail in the absence of exceptional circumstances.

**A**PPPLICATION for bail.

S. A. Marikar, for applicant.

E. H. T. Gunasekara, C.C., for the Crown.

January 21, 1942.... WIJEYWARDENE J.—

The appellant was convicted on the 7th instant on a charge of attempting to commit culpable homicide not amounting to murder and sentenced to two years' rigorous imprisonment. He filed his petition of appeal to this Court on the 8th instant and the appeal has been set down for hearing on the 2nd proximo.

The grounds on which the present application is made are :—

- (a) the accused was allowed bail pending trial in the Supreme Court,
- (b) the accused is a person of good character with no previous conviction,
- (c) the accused is unable to retain Counsel unless he is enlarged on bail.

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I am unable to allow this application on the grounds stated above. This Court does not grant applications for bail in the absence of exceptional circumstances (*vide 25 Criminal Appeal Reports 167*). As regards the third ground, I may observe that the accused has applied to this Court for legal aid stating he has no means to retain Counsel.

The application is refused.

*Application refused.*

