

[IN THE COURT OF APPEAL OF SRI LANKA]

1972 *Present* : Fernando, P., Sirimane, J., Samerawickrame, J.,
and Siva Supramaniam, J.

K. D. B. PERERA, Applicant, and A. S. WIJETUNGA (Addl. Magistrate,
Colombo), Respondent

C. A. APPLICATION No. 55 OF 1972

S. C. 23/72—Application in Revision in M. C. Colombo, 48070/A

Court of Appeal—Sentence which is not illegal—Difficulty of granting leave to appeal against such sentence.

The Court of Appeal will not grant leave to appeal against a sentence which is not illegal, unless the circumstances are very exceptional or extraordinary.

APPPLICATION for leave to appeal against a sentence passed by the Magistrate's Court, Colombo.

M. Nassim, for the applicant.

Respondent absent and unrepresented.

December 21, 1972. FERNANDO, P.—

The sole purpose of this application is to obtain leave from this Court to appeal against a sentence which is not an illegal one. We would like to avail ourselves of this opportunity to state that, unless the circumstances are very exceptional or extraordinary, this Court will not consider favourably a grant of leave to appeal from such a sentence. The instant case is not one such, and leave to appeal is accordingly refused.

Application refused.
