

AG's Decisions to Drop Charges

Assassination of Parliamentarian Joseph Pararajasingham, 2005

The Batticaloa High Court acquitted and ordered the release of all five accused, including former LTTE cadre and now-Member of Parliament, Sivanesathurai Chandrakanthan alias 'Pillaiyaan', in the trial of the assassination of Joseph Pararajasingham, a former Tamil National Alliance Parliamentarian. The judgment was delivered after the Attorney General's Department (AG) informed the Court that it would not proceed with the prosecution. The AG provided no reason publicly for this decision.

The Missing Eleven case, 2008/09

In January 2020, the Presidential Commission of Inquiry (PCoI) appointed to probe the alleged political victimization of Public Servants under the previous administration (2015-2019) ordered the Attorney General (AG) not to proceed with the case against former Navy Commander Admiral Wasantha Karannagoda and former Navy Spokesman Commodore D.K.P. Dassanayake until it reached a conclusion on the matter. Then Attorney General Dappula de Livera PC informed the Presidential Commission of Inquiry (PCoI) that the Commission of Inquiry has no statutory or legal authority to order the Attorney General to refrain from performing his statutory functions.

However, in October 2020, the Attorney General announced that the state would not press charges against former navy chief Wasantha Karannagoda. Relatives of those abducted filed a writ application with the Court of Appeal seeking an order to make null the decision taken by Sri Lanka's Attorney General to drop the charges against Former Navy Commander Admiral of the Fleet Wasantha Karannagoda. The Court of Appeal dismissed this writ petition. The Court of Appeal observed that the court would not interfere with the Attorney General's Prosecutorial Power. The Court further held that there is no procedural error on the part of the Attorney General's Department. This decision of the Court of Appeal is being challenged in the Supreme Court with the case fixed for 7 July 2022.

Murder of Mylvaganam Nimalarajan, 2000

Attorney General's Department informed the Jaffna Magistrate Court that criminal proceedings cannot be continued against the six suspects in the murder case of journalist Nimalarajan. The court ordered the release of all six suspects. Two of the six suspects in the cases are currently overseas.

Assault of journalist Upali Tennakoon

The Criminal Investigation Department (CID) informed the Gampaha Magistrate Court that the Attorney General will not be filing charges against six of the eight military personnel implicated in the assault on former Rivira Editor Upali Tennakoon. Charges will only be filed against the accused that were identified as Ananda Udalagama and Lalith Rajapaksa.

Divineguma Misappropriation case

In March 2022, former Finance Minister Basil Rajapaksa and three others were acquitted of all charges on the instructions of the Attorney General by Kaduwela Magistrate for the alleged misappropriation of Divineguma funds.

Malwana house case

The Attorney General's Department in March 2022 told the Gampaha High Court that no further evidence examinations will take place with regard to the case filed against Finance Minister Basil Rajapaksa and Thirukumar Nadesan over the Malwana land. On 3 June 2022, former minister Basil Rajapaksa and Thirukumar Nadesan were acquitted and released from this case filed over the alleged misappropriation of public funds for the construction of a mansion in Malwana.

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