

Colombo Court refuses bail on journalist Tissainayagam

Daily Mirror By Susitha R. Fernando]

The Colombo High Court served the indictment on senior journalist and Sunday Times columnist, J. S. Tissainayagam who was charged for publishing a magazine 'North Eastern Monthly' and refused to grant bail on him.

High Court judge Ms. Deepali Wijesundara refused to release Tissainayagam on bail and fixed trial for September 9.

J. S. Tissainayagam who was indicted with committing an offence by printing, publishing and distributing the magazine 'North Eastern Monthly' was produced before court from prison.

When he was served the indictment, counsel Nalin Ladduwahetti appearing for the defence requested for a copy of the confession made by Tissainayagam to the Terrorist Investigation Division during his detention. The counsel said that he wanted original Tamil version as well as the Sinhala translation. He noted that a Sinhala translation of Tamil statement made by the accused was produced before the Supreme Court by the TID earlier but there were factual inaccuracies.

Making an application for bail, counsel Ladduwahetti stated that Tissainayagam was arrested on the first week of March this year when he went to the TID to see two persons who were working with him. There were no records that he had attempted to evade the investigation and now the investigations are over. All 15 prosecution witnesses listed are police personnel and therefore there would not be any interference with the witnesses by the accused. And there was no case against him previously.

Counsel further stated that Tissainayagam was undergoing a rare ailment with his eye sight and needed regular medical treatment. The medical reports obtained while he was in detention had proved that his eyes were harmfully affected and considering all the reasons that he be granted bail, counsel Ladduwahetti requested.

Objecting the application Prosecution counsel Sudharshana de Silva stated that the High Court has no jurisdiction to bail the accused charged under the Prevention of Terrorism Act.

Having observed the submissions the Court refused the bail application and directed the prison superintendent to produce the suspect before the Prison hospital and provide necessary treatment.

In this case Tissainayagam was on a charge of three counts under Prevention of Terrorism Act (PTA) and the Emergency Regulations. He was charged with printing, publishing and distributing the magazine 'North Eastern Monthly' during the period from June 1, 2006 to June 1, 2007 and for making payments or collecting funds from Non-Governmental Organisation to run the said magazine. The court fixed trial for September 9.