

Code Of Criminal Procedure (Amendment)

Act No 15 of 1989

AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE ACT,
NO. 15 OF 1979

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows : "

Short title. **1.** This Act may be cited as the Code of Criminal Procedure (Amendment) Act, No. 15 of 1989.

Amendment of section 183 of Act No. 15 of 1979. **2.** Section 188 of the Code of Criminal Procedure Act, No. 15 of 1979, is hereby amended by the repeal of sub-section (3) of that section and the substitution therefor, of the following subsection: "

" (3) The order of discharge referred to in subsection (2) shall operate as an acquittal where either"

(a) it is not set aside and the case against the accused is not reopened within a period of one year from the date of such order; or

(b) the case has been duly reopened and an order of discharge is made for the second time :

Provided that where an application to set aside the order of discharge is pending before a Magistrate or any other court in revision, the order of discharge shall not operate as an acquittal at the end of the period of one year until the Magistrate or such court makes order refusing the application to set it aside.