

## 2972 CASE SUMMARY UPDATE- 2026 7<sup>th</sup> JANUARY

### ONWARDS

**Case Name:** Easter case against 25 Accused

**Case no. :** HC (TAB) 2972/21

**Courts:** Colombo High Court, Trial at Bar

**About :** The case HC TAB 2972/21 against 25 accused in connection with the Easter attacks was heard before a three-judge bench comprising High Court Judge Damith Thotawatte, High Court Judge Amal Ranaraja and High Court Judge Navaratne Marasinghe at the Colombo High Court.

DATE	COUNSEL	UPDATE
07.01.2026	Hiruni	The case was heard before a Trial-at-Bar with all accused present except the 17th accused, who is deceased. The 15th accused testified that while in CID custody he was pressured, promised release for himself and his sons, and subjected to intimidation and assault by CID officers, which led him to give three statements before the Magistrate, Mawanella on 26 September, 18 October, and 1 November 2019 strictly as dictated by officers, reading from written notes. He described personal hardships, including the death of his daughter and arrest of his sons, as factors compelling his compliance, and alleged that his statements were not voluntary. He also narrated events surrounding his production before court, including being taken to his daughter's grave, and stated that he concealed details of assault from the JMO on CID instructions. During cross-examination, the prosecution challenged his credibility, denied all allegations of coercion and assault, questioned the plausibility of his account, suggested he was known by an alias linked to extremist activity, and highlighted inconsistencies regarding documents, signatures, officers' involvement, and use of written notes. In re-examination, the 15th accused denied intentional falsehoods, clarified discrepancies, stated he had complained to the Human Rights Commission, and reaffirmed that he read from A4 notes when giving statements. The court directed two defence

		witnesses to be present on 8 January 2026, noted no objection to proceeding in the absence of the 13th accused due to hospital production, and fixed the matter for further trial on 8 January 2026 at 10.00 a.m.
08.01.2026	Hiruni	<p>The case was heard before a Trial-at-Bar with all parties represented, except the 17th and 13th accused. The defence informed court that witness number 3 was unnecessary, and accordingly called witness number 2, Seyunul Abdeen Fasli, who testified that Police Sergeant Wijerathna facilitated telephone communication between him and the 15th accused and instructed him to attend the Imbul Oya cemetery on 26 September 2019, where the final rites of the 15th accused's daughter were held. He stated that the 15th accused was brought there on that date and that he took photographs and a video while the 15th accused was praying. The defence sought to mark two photographs, but the court disallowed this due to non-compliance with the mandatory notice requirement under section 7 of the Evidence (Special Provisions) Act No. 14 of 1995. During cross-examination, the prosecution alleged that the witness was suppressing facts, giving false evidence, and fabricating photographs to manufacture evidence, and denied that the 15th accused had requested legal representation or been taken either to the Mawanella Magistrate's Court on 18 September 2019 or to the cemetery on 26 September 2019. In re-examination, the witness reaffirmed that the 15th accused had sought legal representation and had been taken to the cemetery on 26 September 2019. The prosecution then called Police Sergeant No. 587, Sisira Palitha, as a rebuttal witness, who denied assaulting or exerting pressure on the 15th accused or interfering with his communications; these denials were challenged in cross-examination, and no re-examination followed. The matter was fixed for further trial on 9 January 2026 at 10.00 a.m.</p>
09.01.2026	Hiruni	The case was taken up before the Trial-at-Bar with all accused present, except for the 17 <sup>th</sup> accused, who had passed away. All parties were represented.

		<p>PW 2095, Assistant Superintendent of Police Wijitha Perera, was called to give evidence-in-chief. In his testimony, he testified that on 16<sup>th</sup> December 2019 at 2.55 p.m., pursuant to a telephone call received from Woman Police Sergeant No. 4366, Nirosha, and in accordance with the instructions given by him, Police Sergeant No. 13526, Senarathne, produced the 8<sup>th</sup> accused, Abdul Manaf Mohamed Firdhows, who was then being detained under a detention order, before him in his office at around 3.04 p.m. on the same day. He testified that on that occasion, the 8<sup>th</sup> accused informed him that he wished to make a statement before PW 2095 in order to unburden his mind. PW 2095 further testified that he clearly explained to the 8<sup>th</sup> accused that he was an Assistant Superintendent of Police and that any statement made before him could be used as evidence against the accused under section 16(1) of the Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979. He further testified that he granted the 8<sup>th</sup> accused time to reconsider his decision to give a statement.</p> <p>PW 2095 further testified that on 18<sup>th</sup> December 2019, at around 12.10 p.m., Police Constable No. 63293, Karunarathne, again produced the 8<sup>th</sup> accused before him in his office and on that day as well, he explained the consequences of giving a statement and advised the 8<sup>th</sup> accused to reconsider his decision to give a statement. He further testified that on 21<sup>st</sup> December 2019, Police Constable Jayasekara again produced the 8<sup>th</sup> accused before him, and that on that occasion too, he did not record any statement from the accused.</p> <p>PW 2095 further testified that on 26<sup>th</sup> February 2020 at approximately 9.35 a.m., he handed over the 8<sup>th</sup> accused to Police Inspector Madhawa Gunawardena along with the Medico-Legal Examination Form bearing No. 18/2021, for the purpose of producing the accused before the JMO. The Medico-Legal Examination Form bearing No. 18/2021 was marked, subject to proof, as P180. PW 2095 further testified that on 26<sup>th</sup> February</p>
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		<p>2020, he recorded the statement of the 8<sup>th</sup> accused and that even after recording the statement, the accused was once again produced before the JMO. Accordingly, the original copy of the statement given by the 8<sup>th</sup> accused before Assistant Superintendent of Police Wijitha Perera on 26<sup>th</sup> February 2020 was temporarily marked as D01.</p> <p>During cross-examination, it was suggested that PW 2095 was giving false evidence before court. It was further suggested that on 26<sup>th</sup> February 2020, the date on which the 8<sup>th</sup> accused was alleged to have given a statement, the 8<sup>th</sup> accused was not observing Ramadan fasting, and that in that year the period of fasting fell during the months of May and June. It was also suggested that PW 2095 had not met the 8<sup>th</sup> accused on that day, that no such incident as described in his testimony had taken place on that date, and that the 8<sup>th</sup> accused had not given any such statement to PW 2095.</p> <p>The matter was fixed to be called again on 12<sup>th</sup> January 2026 at 10.00 a.m. for further trial.</p>
12.01.2026	Hiruni	<p>The case was taken up before the Trial-at-Bar with all accused present, except for the 17<sup>th</sup> accused, who had passed away. All parties were represented.</p> <p>The counsel appearing on behalf of the 2nd, 3rd, 7th, 8th, 9th, and 23rd accused, informed court that he is unable to continue providing legal representation for the said accused persons. He further stated that he would continue to represent the 2nd, 3rd, 7th, 9th, and 23rd accused only until the conclusion of the voir dire of the 8th accused, after which he would no longer appear for them.</p> <p>The counsel appearing on behalf of the 4th, 5th, 6th, 16th, 19th, and 20th accused, informed court that he is unable to continue providing legal representation for the said accused persons. He further stated that he would continue to represent the 4th, 5th, 6th, 16th, 19th, and 20th accused only</p>

		<p>until the filing of the written submissions relating to the voir dire of the 5th accused, after which he would cease to appear for them.</p> <p>The counsel appearing on behalf of the 1st, 10th, 11th, 15th, 18th, 21st, 22nd, 24th, and 25th accused, informed court that he is unable to continue providing legal representation for the said accused persons and that he intends to file a motion in that regard.</p> <p>Today, PW 2095, Assistant Superintendent of Police Wijitha Perera attached to the CID SIU Unit 2, was cross-examined by the counsel on behalf of the 4th, 5th, 6th, 16th, 19th, and 20th accused, while the counsel informed court that he had no cross-examination on behalf of the 12th, 13th and 14th accused.</p> <p>The Prosecution informed court that, in terms of Section 16(2) of the Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979, if the defense object that the statement made by the 8th accused under Section 16(1) was given before an officer above the rank of Assistant Superintendent of Police, the burden of proving such contention would fall upon the defense, accordingly, the Prosecution would call upon the defense to proceed with the case. Pursuant thereto, the Counsel commenced the examination-in-chief on behalf of the 8th accused.</p> <p>The matter was fixed to be called again on 13<sup>th</sup> January 2026 at 9.30 a.m. for further trial.</p>
13.01.2026		<p>Prior to the commencement of the trial, all accused sought additional time and private consultations with their families following the resignation of their assigned counsel, stating that limited weekend calls were inadequate for meaningful discussions; accordingly, the Court directed Colombo Remand Prison and Magazine Prison to facilitate such consultations. On 12.01.2026, the 8th Accused raised an objection to the admissibility of his alleged confessional statement (D1), asserting that it was not recorded before ASP Vijitha Perera and that he was compelled to sign it under fear and torture at the CID. In his evidence-in-chief, the 8th Accused denied</p>

		<p>making the statement, claimed he was forced to sign without reading it due to fear and torture, and stated that he had informed the Batticaloa Magistrate of the torture and requested a transfer to another prison; there was no cross-examination by the other accused. During cross-examination by the Prosecution, the witness was questioned to establish his familiarity with individuals linked to the National Thawheed Jamaat and to challenge his claim of not understanding Sinhala, with the Prosecution contending that he had received Sinhala-medium education up to Grade 8. No re-examination was conducted. Thereafter, PW2058, Inspector Madawa Gunarathna, testified regarding the production of the 8th Accused before the JMO on 6 and 7 February 2020 under the instructions of ASP Vijitha Perera, detailing multiple productions, the issuance and revocation of Court Forms No. 19/2020 and 20/2020, and the eventual medical examination; no cross-examination was conducted. During the proceedings, documents D1 to D6 were marked, and on behalf of the 8th Accused, documents D3 to D6 were recorded as admissions under Section 420 of the Criminal Procedure Code. Following the evidence of PW2058, the defense confirmed that no further witnesses would be called, while the Prosecution informed Court of its intention to prove that D1 was voluntarily made and sought summons for several police witnesses and the JMO, with the JMO to be produced on 19.01.2026. Due to personal difficulties faced by counsel representing several accused, no trial was conducted on 14 and 16 January, the matter being called on 14 January as a calling date, and the case was fixed for continuation of trial on 19 January 2026 at 10.00 a.m.</p>
14.01.2026	Hiruni	<p>The case was taken up before the Trial-at-Bar with all accused present, except for the 17<sup>th</sup> accused, who had passed away.</p> <p>The court convened to discuss arrangements for securing legal representation for the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, and 23<sup>rd</sup> accused. The court inquired whether these accused could obtain</p>

		<p>lawyers to appear on their behalf at their own expense, to which the accused responded that they needed to consult with close family members.</p> <p>Accordingly, the court instructed officials T.S. Jayaratne and A.K.S. Gimhan, who were present in the Court today, to inform the authorities of the Colombo Magazine Prison and the Colombo Remand Prison to ensure that the necessary arrangements are made for the accused to have access to their family members on Saturday, the 17<sup>th</sup> of January 2026.</p> <p>The court further emphasized that it is appropriate for the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, and 23<sup>rd</sup> accused to be provided with legal assistance at the expense of the State. Consequently, the court directed the President of the Bar Association of Sri Lanka and the Chairperson of the Legal Aid Commission to submit in writing a list of suitable lawyers to be appointed by the State for this purpose.</p> <p>In addition, regarding the 9<sup>th</sup> accused, who is scheduled to sit for an examination in January, the court instructed that the prison authorities be informed to provide the necessary facilities to allow him to prepare for and attend the examination.</p> <p>The matter was fixed to be called again on 19<sup>th</sup> January 2026 at 10.00 a.m. for further trial.</p>
19.01.2026	Hiruni	<p>The case was taken up before the Trial-at-Bar with all accused present, except for the 17<sup>th</sup> accused, who had passed away. All parties were represented.</p> <p>Today, PW 2091, Woman Police Sergeant No. 4366 Nirosha; PW 2092, Police Inspector No. 13526 Senarathne; PW 2094, Woman Police Sergeant No. 992 Dhamayanthi; PW 2096, Police Constable No. 63293 Karunarathna; PW 1972, Woman Sub-Inspector of Police Madhushani; PW 1973, Police Sergeant No. 42078 Priyantha; PW 2097, Jayasekara;</p>

		<p>PW 2099, Police Sergeant No. 50242 Lalith Wickramasinghe; PW 2104, Woman Police Sergeant Muthukuda; PW 2101, Police Sergeant No. 5022 Jayarathne; and PW 2103, Woman Police Sergeant Nadeeka were called to give evidence.</p> <p>It was admitted under Section 420 of the Code of Criminal Procedure Act, No. 15 of 1979, that on 21st December 2019, at about 8.35 a.m., acting on information received from Assistant Superintendent of Police (ASP) Vijitha Perera, PW 1972 informed Police Sergeant No. 42078 Priyantha to hand over the 8th accused to the ASP and thereafter took the necessary steps.</p> <p>The Court further ordered that PW 1509, Judicial Medical Officer K. K. Juser, be summoned to give evidence tomorrow at 1.00 p.m.</p> <p>The matter was fixed to be called again on 20th January 2026 at 1.00 p.m. for further trial.</p>
20.01.2026	Sister Sithija	<p>The case was taken up before the Trial-at-Bar with all accused present, except for the 17th accused, who had passed away. All parties were represented.</p> <p>Today, PW 1509, Judicial Medical Officer K. K. Juser was called to give evidence. The professional qualifications, experience and the expertise of the witness was admitted under Section 420 of the Code of Criminal Procedure Act, No. 15 of 1979. The witness identified the documents marked as D2, D3, D5 and D6 and gave evidence as to the observations she made when preparing those judicial medical forms. The counsels for the accused cross-examined the witness and no re-examination was done. Further, the prosecution marked a certified copy of the case no.HC/3421/21; MCB/B/1077/2018 which is a certified copy of Batticola Magistrate Court which is in the High Court now. The documnet was marked D8, since there was no objection from the counsels of the accused.</p>



		<p>The voir dire inquiry was concluded and the parties were directed to file written submissions on or before 09-02-2026 and the order will be delivered on the 17-02-2026.</p> <p>Since two counsels appearing for the accused has informed the court that they will not be appearing for this case, the prosecution requested the court to send written requests to the Bar Association, Legal Aid Commission and the Colombo High Court Lawyers' Association to send the names of suitable lawyers as assigned counsels and also directed the accused to take steps to appoint counsels for them without any delay. Even though, the prosecution wanted to commence the voir dire inquiry of the 4th accused, the inquiry can not be commenced till the counsels for the accused are assigned.</p> <p>The matter was fixed to be called again on 22nd January 2026 at 10.00 a.m. for calling.</p>
22.01.2026	Hiruni	<p>The case was taken up before the Trial-at-Bar with all accused present, except for the 17th accused who had passed away. The matter was called for the purpose of discussing the appointment of counsel for the 2nd, 3rd, 5th, 6th, 7th, 8th, 9th, 16th, 19th, 20th, 21st, and 23rd accused.</p> <p>The Court informed that written requests had been sent to the Bar Association of Sri Lanka (BASL) and the Legal Aid Commission seeking a list of suitable counsels. Jailer K.K. Jayasekare of Magazine Prison and G.K.S. Gimhan of Colombo Remand Prison submitted reports to Court regarding the progress made in facilitating opportunities for the accused to discuss the appointment of counsels with their families. The Court inquired individually from the 2nd, 3rd, 5th, 6th, 7th, 8th, 9th, 16th, 19th, 20th, 21st, and 23rd accused regarding the progress in securing legal representation. All the said accused stated that the counsel they had approached had requested access to the documents, including the indictment, however, such documents were not in their possession, except in the case of one accused. They further informed the Court that the</p>

		<p>documents of some accused were currently held at Wariyapola Prison and Colombo Remand Prison, while the documents of others remained with their previous counsels. The Court recorded the names of the previous counsels and ordered that they be informed to submit all documents relating to the case to Court. The Court further directed Colombo Remand Prison to take immediate steps to collect and submit all such documents to Court.</p> <p>The Court informed the accused that they have been provided opportunities to communicate with their families via telephone and to meet them in person and accordingly directed them to take necessary steps to appoint counsels, as time has been granted until 26th January 2025 to do so. The accused were directed to inform Court of the decisions made in consultation with their families on the next date.</p> <p>The Court also ordered the Prosecution to inform Court regarding the examination admission, as the 9th accused had already sat for several subjects.</p> <p>As the trial could not proceed until the counsels are assigned for all accused, the matter was fixed to be called again on 26th January 2026 at 10.00 a.m to consider the status of the appointment of counsels.</p>
26.01.2026	Hiruni	<p>The case was taken up before the Trial-at-Bar with all accused present, except for the 17th accused who had passed away. The matter was called for the purpose of discussing the appointment of counsels for the 2nd, 3rd, 5th, 6th, 7th, 8th, 9th, 16th, 19th, 20th, 21st, and 23rd accused.</p> <p>Counsel appearing for the 1st, 10th, 11th, 15th, 18th, 21st, 22nd, 24th, and 25th accused informed the Court that he had been assigned to represent the 1st and 10th accused and privately retained by the 11th, 15th, 18th, 21st, 22nd, 24th, and 25th accused. Counsel further informed that due to the daily basis on which the trial was being conducted, he is unable to continue appearing in the matter and accordingly sought to withdraw from representation and to have his assignment cancelled. Accordingly, the</p>

		<p>Court accepted his request, cancelled the assignment and directed the Counsel to hand over all case-related documents in his possession to the Court.</p> <p>The Court informed that on 9th January 2026, Counsel appearing for the 4th, 5th, 6th, 16th, 19th, and 20th accused had informed the Court of his inability to proceed with the case and sought permission to withdraw. Further informed that on 12th January 2026, Counsel for 2nd, 3rd, 7th, 8th, 9th and 23rd accused as well as Counsel for the 4th, 5th, 6th, 16th, 19th and 20th accused, informed the Court that they would withdraw from appearing in the case but would continue to represent the said accused only until the completion of the voir dire inquiry relating to the 5th and 8th accused. The Court informed that the 2nd, 3rd, 5th, 6th, 7th, 8th, 9th, 16th, 19th, 20th, 21st, and 23rd accused had previously been afforded opportunities to discuss with their relatives to decide whether they wished to appoint private counsels or request assigned counsels. The Court further informed that written requests had been sent to the Bar Association of Sri Lanka (BASL) and the Legal Aid Commission seeking a list of suitable counsels.</p> <p>Jailer K.K. Jayasekare of Magazine Prison and G.K.S. Gimhan of Colombo Remand Prison were questioned by the Court as to whether facilities had been provided to the accused to communicate with their families regarding the appointment of counsels following the Court's order dated 22nd January 2026.</p> <p>The Court inquired individually from the 2nd, 3rd, 5th, 6th, 7th, 8th, 9th, 16th, 19th, 20th, 21st, and 23rd accused regarding their position on legal representation. Accordingly, the 2nd, 3rd, 6th, 7th, 9th, 16th, 19th and 20th accused informed the Court that they intend to retain private counsels. They further informed that the counsel they had approached had requested access to the documents, including the indictment; however, such documents were not currently in their possession. It was brought to the attention of the Court that some of the documents were held at Wariyapola</p>
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		<p>Prison and Colombo Remand Prison, while others remained with their former counsels.</p> <p>The 4th, 5th, 8th and 23rd accused informed the Court that they preferred to be represented by an assigned Counsel. Accordingly, the Court assigned Mr. Nalinda Pramith AAL, from the Legal Aid Commission, to represent them. Mr. Nalinda Pramith AAL informed the Court that three additional counsels had also been appointed by the Legal Aid Commission. The Court informed that if any of those counsels appear in this matter, they may also be assigned to represent the said accused, and until such time, Mr. Nalinda Pramith would continue as the assigned counsel. The accused further requested that a counsel fluent in Tamil and able to understand the Tamil language be appointed, as they were more comfortable communicating in Tamil.</p> <p>The Court ordered the Registrar to inform all former counsel to submit all documents relating to the case to the Court tomorrow (27th January 2026). The Court further ordered the Colombo Remand Prison and Wariyapola Prison to take immediate steps to collect and submit all such documents in their custody to Court, tomorrow.</p> <p>The matter was fixed to be called again on 27th January 2026 at 10.00 a.m., for the purpose of ensuring the availability of all relevant documents.</p>
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