

Was bail granted to Manivannan by the Government or by Courts?

Before Jaffna Mayor Viswalingam Manivannan was granted bail on Friday night by the Jaffna Magistrate's Court, Hon' Minister Douglas Devananda had issued a statement to the media that the President was going to pardon Manivannan. The Hon' Minister had stated (i) that Manivannan would be released on bail (ii) that he would not be charged under the PTA (iii) that he would be charged under the normal law.

This statement of the Hon' Minister raises the question whether Courts and the Police in this country are only existing nominally functioning in consonance with the whims and preferences of the President and his Government. The statement of the Hon' Minister also brings out the fact, that Manivannan had been arrested for political reasons. If the President had consented to pardon Manivannan it would mean that Manivannan had committed some offence. But the Police had not proved in Court that Manivannan had committed any offence. Therefore on what basis did the President consent to "pardon" Manivannan?

Just as the Hon' Minister said Manivannan was indeed released on bail and he was not charged under the PTA. But I am told that the submissions of the Police and that of Manivannan's lawyers were heard before the Jaffna Court and thereafter only the Court decided to grant bail.

The fact that Hon' Minister Devananda had stated even before Manivannan was taken to Courts that the President had consented to pardon and that Manivannan would be granted bail and that the Police would be acting in consonance with what he has stated, brings out the fact as to what extent the Police Department and the

Courts had lost their independence. We could take these incidents as amounting to contempt of the Courts and the Police Department.

It is necessary that the President and the Hon' Minister Devananda do issue a statement in this regard. If ordinary citizens are going to be harassed in accordance with the whims and fancies of those in authority, of what use are the Courts? Are the Police People's Police or hand-maids of the President? We need an explanation.

Justice C.V.Wigneswaran
Member of Parliament
Jaffna District
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