

Don Anthony v. The Bribery Commissioner, S. C. 3 of 1961-Bribery Tribunal Case No. 77/7. 168159, (2/SC). Decided on 05/04/1962.

Statute enabling appeal to Supreme Court-Incapacity of the appellant to attack validity of the statute-Bribery Act No. 11 of 1954, as amended by Act No. 40 of 1958-Appeal thereunder-Appellant cannot attack validity of entire Act.

T. S. Fernando, J., with H. N. G. Fernando, J., agreeing.

The appellant who was convicted before the Bribery Tribunal raised that the tribunal had no judicial powers to convict him therefore his convictions should be quashed on the questioning of the invalidity of the act.

Held:

Where an appeal is brought before the Supreme Court the invalidity of an Act of Parliament cannot be challenged with the right of appeal conferred by Bribery Act No.11 of 1954. Some other remedy must be sought.

The decision of the Supreme Court in **Senadhira v. The Bribery Commissioner**¹ [1 (1961) 63 N. L. R. 313.] was applied and an order was made setting aside the sentence of fine of Rs. 1000 imposed on him.

Appeal partly dismissed.