

FAMOUS CRIMINAL CASES OF SRI LANKA

(7)

A. C. ALLES

**THE
TRAGEDY
OF
DELINE VITHARNE**

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FAMOUS CRIMINAL CASES OF SRI LANKA

VOLUME VII

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To
my Colleagues of the
Attorney General's Department

1942 — 1964



FAMOUS CRIMINAL CASES

OF

SRI LANKA

(7)

(THE WILPATTU MURDER CASE)

BY

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PREFACE TO THE SECOND EDITION

'The Tragedy of Adeline Vitharne' is a reprint of the 'Wilpattu Murder Case' which was first published in 1975. This case is perhaps the most fascinating and most widely known of the famous criminal cases of this century. The reviews of this book bear eloquent testimony to its popularity as one of Sri Lanka's best known criminal cases. One of the reviews of the case aptly describes it as a characteristic example of the oft quoted adage that sometimes truth is stranger than fiction. The 'Tragedy of Adeline Vitharne' is a true narrative of a human drama which extended for a period of two years where deception and lust, ambition and pathos played prominent parts until it reached a climax on the night of March 14, 1959 at the turn off to the Wilpattu National Park when Adeline Vitharne, a simple unsophisticated girl from a humble home in the Kandyan district, paid dearly with her life in her futile endeavours to claim her rightful place in society.

As my friend and colleague Mr. Victor Tennekoon, the former Chief Justice has remarked the tragedy of Adeline Vitharne carries with it a lesson to all young girls that even the 'most pleasantly spoken, sweetly smiling young man may turn out to be only a Bluebeard at heart'. Another well known Sinhala author and former Minister was so fascinated with this case that he considered the 'captivating dramatic element in the case sufficient to make it an ideal setting for the modern Sinhala film'.

To all my readers of the Famous Criminal Cases of Sri Lanka I commend this book as a case that should not be missed.

A. C. ALLES

'Sheriton'
Cambridge Terrace
Colombo 7.
30 September, 1982.



THE TRAGEDY OF ADELINE VITHARNE

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*O WHAT A TANGLED WEB WE WEAVE
WHEN FIRST WE PRACTISE TO DECEIVE*
SIR WALTER SCOTT.

THE BACKGROUND

CHAPTER I

Close upon midnight on March 14, 1959, a lorry driver called Emaliyanu was proceeding towards Anuradhapura along the Puttalam-Anuradhapura road, when, a little beyond the 27th mile post, near the turn-off to the Wilpattu National Park, the lights of his lorry fell upon the body of a young woman lying across the road. The woman had been deliberately killed by a motor vehicle being driven over her body. The corpse was later identified as that of Adeline Vitharne of Palletalawinne, a village close to Katugastota in the Kandy district.

It was a crime that shocked the public of the country at the time and resulted in intensive investigations being commenced by the Police. Over a year later, on 27 May, 1960, at the Anuradhapura Assizes, a young teacher, Jayalal Anandagoda of Nanodaya College, Kalutara, was convicted by an English speaking jury of the murder of Adeline Vitharne.

Adeline Vitharne and Jayalal Anandagoda met under strange circumstances at the end of 1956, their lives became intimately connected with each other in the years 1957 and 1958, and in the early months of 1959 that relationship reached a climax, which ultimately resulted in the one being charged with the murder of the other.

Shanthi Adeline Vitharne was the younger daughter of Abraham Vitharne and Herath Mudiyansele Punchimenike, and was born on June 10, 1937 in the village of Palletalawinne. Abraham was a native of Gonagala in the Balapitiya district and, with the enterprise characteristic of the people of South Ceylon, left his native village at the age of 15 to seek his fortunes in the Kandy district. He migrated to the village of Palletalawinne where he set up a modest bakery. About 14 or 15 years later he fell in love with a damsel of the same village called Punchimenike and they commenced to live as husband and wife from the year

1933. From this union two girls were born, Agnes in 1935 and Adeline in 1937. It was only in 1956, obviously in the interests of their two children, that Abraham and Punchimenike were legally married.

After the birth of Adeline, Abraham shifted to Kiribathkumbura, a village about eight miles from Palletalawinne, where Abraham's business prospered. While the family were living at Kiribathkumbura, Abraham's mother Sidohamy, who had lost contact with her eldest son for almost 20 years, came from Gonagala to invite Abraham to the wedding of one of her daughters. It was only then that Sidohamy became aware that her eldest son was married and had two children. Sidohamy bore no rancour against her son for not informing her of his marriage, indeed there was no legal marriage at the time; she must have realised that her eldest son had done well in life; and she generously invited Abraham to come with his entire family for the wedding.

A wedding among Sinhalese villagers is not a one day affair, as is the custom among the more sophisticated urban folk, where the ceremony and the reception take place on a single day, after which the couple leave for their honeymoon. In the village a wedding is an event to be long remembered, it is an occasion for the bride's parents to keep open house for several days, during which period friends and relations foregather to wish the newly wedded couple long life and happiness. The young couple continue to reside in the bride's house to receive the felicitations of their friends and well-wishers until the bride is taken away ceremoniously to the bridegroom's house at the conclusion of the wedding festivities.

During the course of the entire celebrations, Abraham, after his long absence from the village, was a popular and welcome visitor. He met relations whom he had last seen as a boy; he renewed old friendships and he relived his boyhood in the scenes of his native village. He was happy and contented, particularly as Punchimenike was graciously accepted into the family circle.

When the festivities were concluded, Sidohamy, whose heart

must have been full of joy at the reunion with her eldest son, persuaded Abraham to leave his three year old daughter Agnes with her for some time. Abraham agreed and returned to Kiribathkumbura with Punchimenike and the year old Adeline. Soon afterwards Abraham decided to send Punchimenike and his younger daughter too to Gonagala, so that the two children may continue to live with the grandmother and be educated at his native village, while he continued with his business at Kiribathkumbura.

Punchimenike lived with Sidohamy in the ancestral home for about ten months, after which she shifted to another house a quarter mile away. Punchimenike continued to live at Gonagala for about ten years, during which period the two girls attended the Gonagala Government Mixed School. Abraham's business continued to flourish and he paid periodic visits to Gonagala and sent money for the maintenance of his family. By 1949 Abraham's business became sufficiently prosperous to enable him to settle down in his own home at Palletalawinne, and he then decided to bring his family back to Palletalawinne, so that they could all live together under the same roof.

On their return to Palletalawinne, the girls were 14 and 12 years respectively and they continued their education at the Government Mixed School at Palletalawinne.

Adeline proved to be a promising student and after passing the Sinhalese School Certificate Examination, she left the Palletalawinne school and joined Sri Rahula College, Katugastota, where she continued her studies until 1956. She passed the Eighth standard in English in 1954, functioned as a Senior prefect, played for the Netball team and also assisted the other teachers in their work. In 1956 she was in the Senior School Certificate Form in English, but was withdrawn by the Principal from the Final Examination, since she had not reached the required standard in English.

From August 1956 she did not attend school and remained at home helping her parents in their domestic duties.

She was a popular student at Sri Rahula College and had earned the esteem and affection of the teachers and students at the College by her success in her studies and her prowess in the field of sport. The Principal of Sri Rahula College, Peter Rajapakse, has considered her one of his promising students, given her a good certificate and found her conduct to be exemplary.

There was nothing that could be urged against this simple unsophisticated Kandyan lass. By 1956, Adeline had blossomed out to be a pretty girl, and in view of her fair complexion was affectionately called Kiri Duwa in the family circle. She was then 19 years of age and life with all its pleasures and pitfalls lay before her.

Adeline had a kindly disposition and was generous in her relations with her friends and neighbours. When she was residing in the village of Kalawellawa, a week before she was taken away to her death, the villagers have referred to several acts of kindness on her part. On one occasion, when an epileptic had fallen on the road, it was this young girl who had taken the initiative to help the unfortunate victim, by undertaking to contribute her mite to have the patient removed to Hospital, while the villagers stood round, numb and mute without making any suggestion or offering any assistance.

She had an unblemished moral character and although she had fallen to the wiles and glib talk of a smooth tongued young man from the South, she never stopped to becoming a common strumpet. After her seduction her one object was to use all means within her power to get her seducer to marry her honourably. In this venture she failed and paid for it dearly with her life. When Anandagoda in later years took her away on the pretext of getting married and kept her at a bawdy house, she returned home after a short time, indignant that she should have been treated like a common prostitute.

Her one aim was to advance her fortunes in life and aspire, with her better education and her good looks, to attain a higher status than her humble parents. From the first time she met

Anandagoda she was hoping that he could help her to get her a job as a nurse, teacher or in some other suitable capacity and it was this child-like trust in a man, whose intentions were far from being honourable, that spelt disaster for herself and the members of her family.

In trying to better her position in life, it was natural, that she should develop a streak of wilfulness and obstinacy in her nature, and not take kindly to any correction from her more conservative parents. Punchimenike has described her as a stubborn girl who would not listen to anyone. Had she paid heed to the mature advice and more experienced counsel of her humble parents, the tragedy that befell her young life may never have taken place, but destiny had decreed a different fate for the unfortunate Adeline Vitharne.

Jayalal Anandagoda was the youngest son of Carolis Anandagoda and Liyanage Carlinahamy and was born on 20 July, 1927 at the village of Poddala, four miles from Galle on the Galle-Baddegama road. Both his parents were dead when he was six years old leaving the large family of eight children with slender means to support themselves. The two elder sons, Johanis and Jordin, worked as Kanganies on Walpita Group, and the fourth son Lionel was also employed on the same estate. The third son Charles sought his fortunes elsewhere and ultimately became the proprietor of a prosperous business known as Ananda Stores at Rambukkana. It was Charles who spent for Anandagoda's education and even helped him financially in later years. Of Anandagoda's three sisters only the eldest was married to a carpenter from Gintota, while the two unmarried sisters lived in the ancestral house at Poddala with the elder unmarried brothers.

Anandagoda was named Gernel at birth and continued to be known by that name in the village. He had his early education at the Meepawala Sinhalese Mixed School. From 1938 to 1946 he was a student at Ratnasara Vidyalaya, Baddegama and left school having passed the Senior School Certificate Examination in English. After leaving school he passed the Sinhalese Teachers' Examination as a private candidate. He then came to

Colombo and obtained a teaching appointment at Waisaka College, Wellawatte on January 1, 1949, here he called himself by his brother's name Jordin, apparently being dissatisfied with the name given to him at birth by his father. Here he taught in the 5th and 6th standards. He left this school in 1955 when he applied successfully for a teaching post at Nanodaya College, Kalutara, which at that time was an Assisted school under the management of the late Senator Sir Ukwatte Jayasundera. He continued to teach at this school until 1959.

In 1953 the Principal of Nanodaya College was Mr. S. S. Rajaratnam who continued as Principal until 1957 when he left to pursue his studies as a Law student. He was succeeded as Principal by Mr. D. S. Wijewardene.

Nanodaya College was a mixed school and Anandagoda, who by that time had taken the name of Jayalal, taught Arithmetic, Sinhalese, Civics and Buddhism in the Sinhala medium from Form I to the Senior School Certificate Form. He had earned the reputation of being a capable teacher.

When Rajaratnam was Principal he had occasion to take Anandagoda to task for being too friendly with a female teacher of the lower school. The behaviour of Anandagoda and this female teacher, during school hours, became so scandalous that Rajaratnam was compelled to bring the matter to the notice of the Management for disciplinary action and in consequence Anandagoda ran the risk of losing his job at the College. As a result of this incident and also because Rajaratnam had occasion to reprimand Anandagoda for his undue familiarity with the senior female students, the feelings between Rajaratnam and Anandagoda became strained.

While the strained feelings between Rajaratnam and Anandagoda continued, Rajaratnam had an unpleasant experience. One day when he was coming to school on his bicycle, he was the victim of an unprovoked assault by a man called Seemon. Rajaratnam made a complaint to the Police and Seemon was charged in the Magistrate's Court of Kalutara and convicted of causing hurt to Rajaratnam. Anandagoda took an undue interest in the case

and even paid for Seemon's legal expenses, retaining Counsel from Panadura to appear for Seemon, and not unnaturally, Rajaratnam suspected that the assault on him was engineered by Anandagoda as a result of the previous ill feeling. Rajaratnam's suspicions received corroboration in the final statement made by the third suspect Sirisena to the Police, when he admitted that Anandagoda wanted him to assault Rajaratnam and that he refused. Sirisena subsequently learnt that Rajaratnam had been assaulted by another person at Anandagoda's instance.

Anandagoda's undue familiarity with female senior students was, as one would expect a matter of grave concern to the authorities. Both Rajaratnam and Wijewardene had this same complaint to make. According to Rajaratnam, another teacher and friend of Anandagoda was in the habit of sending senior girls from his class to the Staff room to keep Anandagoda company during his free periods. Rajaratnam had to warn one of the girls and even bring her conduct to the notice of the girl's parents. On another occasion the father of one of the girls had complained that Anandagoda was seen taking his daughter and a number of other senior girls in his car in the direction of Alutgama.

Anandagoda appears to have been constantly in trouble during his stay at Nanodaya College, mainly due to his amorous activities. Two serious incidents took place in 1958, which have been referred to by Mr. J. W. Goonetilleke, the Vice Principal of the school. An inquiry was held by Advocate Siriwardene into an allegation by one Mr. Daniel that Anandagoda had harassed his daughter and as a result of this inquiry, Anandagoda was warned and advised to seek another teaching post.

The Vice Principal also referred to yet another occasion when Anandagoda was warned by the Kalutara Magistrate over a case of criminal intimidation. This was the sequel to an incident, when it was alleged, that he deliberately tried to run over the girl whom he is alleged to have intimidated, while driving his car. Was this attempt to run over a girl a foretaste of what was to happen to Adeline Vitharne in later years?

During the stewardship of Wijewardene, he decided, in view of Anandagoda's amorous inclinations not to put him in charge of any particular class, although he was quite competent to be in charge of one. One of the senior girls with whom Anandagoda was quite friendly was Chandra de Silva, whose name figured prominently in his later relations with Adeline Vitharne.

The salary which Anandagoda earned as a teacher was barely sufficient for his personal needs. He was a young man who owned a car and had expensive tastes. He had therefore to implement his modest earnings as a teacher by adopting other means of supplementing his income. But the means he adopted for that purpose and the financial sidelines in which he dabbled were not the type of business ventures one would normally expect from a person, whose main object was the education of the youth.

One such sideline was his dealings with car brokers. In the years 1953 to 1959 car brokers were a fraternity, who without much capital, sought to earn easy money by pestering people to buy and sell cars. Unlike reputed Finance companies, they had no capital of their own and eked out an existence by negotiating transactions on a commission basis. Anandagoda joined this unsavoury fraternity to earn extra money by adopting the same methods.

Anandagoda himself owned several cars from 1954, at first a Hillman, then an Opel Rekord, next a Vanguard and finally the dark blue and ivory Fiat 1100 which figured prominently in the case. All these cars were purchased through the media of Finance Companies. Purchasing cars through Finance Companies could be quite a lucrative business during this period. Cars were freely available and the prospective purchaser would normally need only half the capital, the balance being paid in monthly instalments through the Finance Company. If the owner receives an attractive offer after purchase, he could sell the car, pay off the instalments to the Finance Company in a lump sum and with the balance purchase another new car. In this way a discerning car owner could always possess a new car. This accounts for the number of cars which Anandagoda owned during the short period of four years.



ADELINE VITHARNE
*Photographs taken at Fatima Studio, Katugastota
in December 1956*



ANANDAGODA'S FIAT CAR 1 6265



JAYALAL ANANDAGODA

By Courtesy - Associated Newspapers of Ceylon

The Fiat 1100 was a distinctive car in every sense. Quite apart from it being a two tone car, it was fitted with a sunshade, equipped with a car radio and had white-walled tyres. Such a vehicle was bound to attract attention wherever it was seen, particularly in the rural areas. Anandagoda must have realised too late that had he owned a less distinctive car he might have not courted the trouble which ultimately crossed his path. The car was also a pointer to the character of the owner. There can be nothing cheap or common place about the owner of such a car. Anandagoda was fond of good clothes, very often sporting expensive slacks and shirts; he despised local brews and only consumed imported liquor; and his favourite brand of cigarettes was the imported filter tip Ardath cigarettes. Judging from his popularity with members of the opposite sex, he was a presentable young man, always well attired, with a pleasant manner, owning his own car and what female heart would not have fluttered at the prospect of riding in a sleek, new car driven by a personable young man, sporting a pair of dark glasses.

The other questionable source of Anandagoda's income was that received from the Park View Guest House at Moratuwa. These premises were situated behind the Lunawa Park and had been rented from the owner by Anandagoda, for the ostensible purpose of running a Guest House. The Manager of the Guest House was Bertie Colombage, the Assistant Manager Themis, the waiter Gallison Silva and the watcher Asuramani Isiman Silva alias Sirisena, who was subsequently charged as the third accused at the trial. The Guest House was a place of doubtful reputation and a love nest which catered mostly to couples both by day and night.

Very early in the course of the Police investigations they were able to ascertain the true character of this Guest House. On March 22, 1959 when Inspector Tyrrell Goonetilleke visited the Guest House to ascertain whether any clothes belonging to Adeline Vitharne had been left there, he came across some articles of female attire in a room behind the kitchen—a pair of red Bata slippers, a red jacket with silver thread and two red under skirts. Inspector Goonetilleke questioned Colombage who told him that

these articles of clothing had been left behind by a Muslim woman called Farida, who had spent a night at the Guest House and left the following morning. This same Farida had come the previous week in the company of a driver of the Transport Board working on the Moratuwa line and the couple had signed in as Mr. and Mrs. Appuhamy. They had left the following morning after Mr. Appuhamy had settled the bill. A week later, Mrs. Appuhamy alias Farida turned up at the Guest House alone, expecting Mr. Appuhamy to arrive later. Mr. Appuhamy did not materialise and having no money to settle her bill for the night's occupation, Farida left the next morning, leaving her clothes as security and promising to pay the money later. It does not need much imagination to realise that this little incident clearly demonstrates that the Park View Guest House was nothing more than a glorified brothel with a high sounding name.

To Anandagoda deceit was second nature. He changed the name given to him at birth to appear more presentable in the public eye; he pretended to be employed at the Bank of Ceylon as an Executive, when his only dealings with the Bank was that he maintained a Bank account; and when he left Panadura on the morning of March 14, 1959 to carry out his diabolical mission, he deceived the girl to whom he was engaged at the time, by telling her that he was going to meet his brother at Rambukkana. His attitude towards Rajaratnam displayed a streak of revenge in his character. He had a most convincing manner and was able to persuade almost anybody that what he maintained was the truth. Even a hard businessman like Rauff of the Avis-rent-a-car Service, with whom he had constant dealings, accepted Anandagoda's statement that he was employed at the Bank of Ceylon.

Anandagoda was one of those flashy young men, always sprucely dressed, with expensive tastes, fond of driving fast cars, earning money by dubious methods and anxious to create an impression of affluence with nothing very substantial to back that impression. To these unsatisfactory facets in his character was added his weakness for female company, especially that of young girls.

This brief account gives the reader a pen picture of the man, who deceived the trusting Adeline, and it was into the clutches of this glib and plausible young man, who concealed the eyes of the killer behind his dark glasses, that the luckless and innocent Adeline Vitharne fell a victim.

On October 2, 1935 Adeline's young mother, Mrs. Vitharne, had gone to the County Jail to make some purchases. While she was so engaged, a car passed her and stopped against the front of her little cottage. A young man, who had been waiting for her, got out of the car and walked toward her. He was dressed in a dark suit and wore dark glasses. He introduced himself as John J. Vitharne, and said that he was the son of her mother. He was subsequently arrested at the County Jail, but when Mrs. Vitharne's mother was released by the Sheriff at Pahrump, Nevada, and after Vitharne's mother had been released from the County Jail, she was taken to her home in Las Vegas, Nevada, and was subsequently released from the County Jail. The Sheriff decided to release her, and she was taken to her home in Las Vegas, Nevada.

Adeline, who was at that time staying at home, decided to accompany her father to Colorado to look after her mother's affairs. She and her father left Las Vegas by the 2:15 p.m. train on November 2, 1935.

Friday, November 2, 1935 was destined to be a terrible day for the two young people—Adeline Vitharne and John J. Vitharne. It was a day of tragedy, which was to end in death for both of them. They were to be killed in a car crash on the night of November 2, 1935. The car was a 1935 Ford, and it was driven by John J. Vitharne. The car was traveling on a dark road, and it was in the dark when the crash occurred. The car was traveling at a high speed, and it was in the dark when the crash occurred. The car was traveling at a high speed, and it was in the dark when the crash occurred.

Adeline and John J. Vitharne went to Colorado to look after her mother's affairs. They were to be killed in a car crash on the night of November 2, 1935. The car was a 1935 Ford, and it was driven by John J. Vitharne. The car was traveling on a dark road, and it was in the dark when the crash occurred. The car was traveling at a high speed, and it was in the dark when the crash occurred. The car was traveling at a high speed, and it was in the dark when the crash occurred.

CHAPTER II

A DATE WITH DESTINY

On October 2, 1956 Abraham's aged mother Sidohamy had gone to the Gonagala fair to make some purchases. While she was so engaged, a car passed her and knocked against the heel of her left leg causing a bleeding injury. She had her wound dressed at the Gonagala Dispensary, but as it became infected she was subsequently warded at the Balapitiya Hospital for treatment. News of Sidohamy's accident was received by Abraham at Palletalawinne and after Sidohamy's discharge from Hospital, Abraham, like a dutiful son, thought a change of air would be beneficial to his mother. He therefore decided to proceed to Gonagala and bring his mother to Palletalawinne.

Adeline, who was at that time staying at home, decided to accompany her father to Gonagala to fetch her grandmother. Father and daughter left Katugastota by the 6 a.m. bus on November 2, 1956.

Friday, November 2, 1956 was destined to be a fateful day in the lives of two young people—Adeline Vitharne and Jayalal Anandagoda. It was a day of destiny, which was to end in tragedy to these two young lives, one to be cruelly done to death at dead of night on a lonely jungle road and the other to lead him to the hangman's noose in the dark depths of the Bogambara Prison.

Abraham and Adeline went to Gonagala, fetched Sidohamy and came back to Colombo by bus to entrain for Kandy at the Fort Railway Station. At 8 p.m. they took their seats in a compartment of the Kandy train. It was a tiring day for the travellers and Abraham decided to stretch his weary limbs on the short seat in front of which Adeline and Sidohamy had taken their places. The wide-eyed Adeline sat close to the window, attracted by the lights of Colombo and commenced to read an English book. As the train was about to leave the station, a presentable young man,

dressed in slacks and shirt, entered the compartment in a hurry and forcibly took his seat between Adeline and her grandmother. It was a bit of a squeeze because the seat was meant only for two, but the young man did not seem to mind the discomfort, particularly when he was able to cuddle close to an attractive girl. To the average Sinhalese villager, an incident of this nature creates a sharp jolt in his conservative outlook and is likely to evoke some kind of objection, but in this case, Abraham was too sleepy to notice and Sidohamy too old to protest.

During the entire journey, Adeline and the young stranger were engaged in an earnest conversation in English and Sidohamy was unable to gather what transpired between these two young people. Adeline, was naturally flattered at the attentions of her presentable travelling companion, who lost no time in discovering that she lived with her parents at Palletalawinne; that she had been educated at Katugastota; and that she was hoping to get a job as a nurse or a teacher. But although Adeline in her innocence and simplicity had confided in the stranger and given him a complete account of her life history, the stranger was not so frank and falsely gave his name as Lal Atapattu and said that he was employed at the Bank of Ceylon. While Adeline gave him her correct address, he gave her an accommodation address care of P. M. Lingam, Tamil Mixed School, Henamulla, Panadura. This was the address found later in one of Adeline's books. In her simplicity, she did not inquire why she was given such an address, if he was working at the Bank of Ceylon.

In spite of her failing eyesight, Sidohamy was able to identify the young stranger later at the trial as Jayalal Anandagoda.

Anandagoda's destination was Rambukkana. It was his usual practice to spend the week-end helping his brother in his business at Ananda Stores, but on this occasion he decided to proceed to Kandy instead of alighting at Rambukkana station. For reasons which became obvious later, Anandagoda was anxious to win the confidence of this simple and attractive Kandyan girl and by the time the travellers reached Kandy, Anandagoda and

Adeline had made certain arrangements for the following days. The campaign of deceit which was to continue for over two years had already commenced.

Two days after the train journey, on Sunday November 2, Adeline left home dressed in a Kandyan half saree informing her parents that she was going to attend Sunday school. This was something unusual, which she had never done previously, but the parents meekly accepted the explanation of their better educated daughter, being apparently under the impression that she was intending to pursue her studies further by attending Sunday classes. She left home at 7 a.m. taking some money for her mid-day meal and returned in the evening about 5-30 p.m.

Adeline met Anandagoda at the Katugastota Railway Station, where he was waiting for her in a car. From Katugastota the couple had gone to the Kadugannawa Rest House and Anandagoda signed the Rest House book as Mr. and Mrs. A. Jayalal. According to the Rest House Keeper, Dharmadasa, a couple came to his Rest House at 10.30 a.m. and left at 2.00 p.m. He later identified Mr. A. Jayalal as Anandagoda and there can be little doubt that Mrs. Jayalal was Adeline Vitharne.

The couple had lunch and refreshments. Anandagoda had brandy and beer while Adeline had a sweet drink. Subsequently months later, after Adeline became pregnant, she gave an account to the Wattagama Police of how she had been seduced by one Lal Atapattu who had given his address care of P. M. Lingam, Tamil Mixed School, Henamulla, Panadura. The account of her seduction given to the Police on this occasion may well represent the truth. According to her, Anandagoda met her in the car and invited her to go to Colombo regarding a job. She refused, as she had come without her parents' knowledge. He then took her to the Kadugannawa Rest House, where Anandagoda signed the book and invited her to come inside the room. At first she refused, but after some coaxing on Anandagoda's part, she entered the room. Anandagoda then gave her some aerated water while he drank some liquor. He then closed the door and she felt herself lapsing into unconsciousness. When she recovered conscious-

ness she realised that she had been ravished. Adeline then questioned him and he said that if anything untoward were to happen, she should inform him at the address that he had given. He brought her back to Katugastota and then went away. It is significant, that even before Adeline met with her death at Timbiriwewa in March 1959, she had been doped and rendered unconscious. If Adeline's account of her seduction represents the truth, Anandagoda had committed a criminal offence on her behind the closed doors of a room at the Kadugannawa Rest House.

Adeline was apparently resigned to the fact, that although she had lost her virginity, she would gain something substantial at the hands of her seducer when he got her the promised job, and the intimacy between Adeline and Anandagoda continued during the subsequent months.

A clandestine romance is invariably accompanied by deceit, and Adeline's association with Anandagoda was no exception. After the first Sunday school episode of November 4, Adeline was in the habit of leaving home every Sunday in November and December. These departures were usually preceded by letters and telegrams from Lal Atapattu, and Adeline made no secret of the fact to her parents that she was going to meet Lal Atapattu, who according to her, was making arrangements to get her a job as a nurse. She told her mother that she was asked by Lal to take up the Nurses' Examination and he assured her, that even if she was not successful at the Examination, he would get her a job as a hospital nurse. The trysting place on these occasions was either the Katugastota Railway Station or the Post Office. It apparently did not strike the parents to ask Adeline why Lal could not come and fetch her from Palletalawinne. The conservative parents made feeble protests at these journeys and warned Adeline that it was not customary for a young Sinhalese girl to go out unchaperoned and meet a young man, but Adeline, with her stronger will, brushed these objections aside and told them that Lal (whom she referred to as Mahathaya) was trying to do her a service and get her a suitable job. Adeline had taken the matter of the job quite seriously. On December 7, she had gone to the Fatima Studio at Katugastota and got the photographer, Mohamed Hashim to

take some photographs of herself for the purpose of affixing them on her identity card, which had to accompany her application for any job. The parents were unaware where Adeline spent the whole of these Sundays, but according to the books of the Kadugannawa Rest House, Mr. and Mrs. A. Jayalal had visited the Rest House on Sunday November 25 and Sunday December 12.

By early December the inevitable had happened and Adeline had conceived. Punchimenike noticed that her daughter did not have her menstrual periods in December and imagined, with the characteristic simplicity of the Kandyan villager, that her hitherto healthy daughter had contracted some illness and she consulted the Ayurvedic physician of the village. Adeline herself did not disclose to her parents that she had probably conceived, although she sent a telegram to Lal Atapattu addressed to Panadura informing him of her condition. The telegram was returned undelivered.

As the months passed and the pregnancy could no longer be concealed, Punchimenike took her daughter to task and Adeline then disclosed to her mother what happened to her on November 4; she admitted that she was with child; that Lal Atapattu was responsible for her condition, and that he had promised to marry her after three years when he had completed his examinations. The parents then got her to write to Lal Atapattu to the Panadura address and soon afterwards Adeline received a telegram signed by Lal Atapattu asking Adeline to meet him at the Katugastota Railway Station. Punchimenike and Adeline went to the station and for the first time Punchimenike set eyes on the man who had seduced her daughter. Anandagoda had come in his Fiat 1100 car and he brought Punchimenike and Adeline in the car to Palletalawinne. 'Lal Atapattu' halted his car on the main road, crossed the railway line and entered the humble home of Abraham with the mother and the daughter. Agnes was not at home at the time, having obtained employment as a clerk on Millakanarawa Estate, Ratnapūra. Anandagoda promised Abraham and Punchimenike not to desert Adeline and assured them that he would marry her after he had completed his examinations. He also undertook to look after the welfare of Adeline and left promising to come the following Sunday. Adeline and her parents were

apparently satisfied with Anandagoda's assurances.

Anandagoda did not turn up as promised on the following Sunday. Abraham then sent a telegram to the Panadura address, but the telegram was returned undelivered, with the endorsement that the addressee was not resident at the given address. By June 1957, Adeline was about seven to eight months advanced in pregnancy; she had written several letters to Lal Atapattu care of the Panadura address to which she received no replies; and as the months progressed and her pregnancy became more apparent, she became desperate. It was about this time that the Wattagama Police received an anonymous petition against Adeline that there was an attempted abortion and when the Police questioned her she gave a detailed account of the deception practised on her and the circumstances attending the seduction. Her complaint to the Police on this occasion was a severe condemnation of the conduct of Lal Atapattu, whom she described as the 'culprit' who had harmed her and ruined her life. It is not unlikely, having regard to the distressing condition in which she found herself at the time, that she had, with Punchimenike's connivance, tried to get rid of the child. Indeed, later, Adeline confided to one Chandra that she had eaten some yams in an attempt to effect an abortion. After being warned by the Police and not hearing anything further from Lal Atapattu, mother and daughter decided to travel to Panadura, meet Lingam and discover the reason for Lal Atapattu's strange silence.

Palaniappa Muttulingam, commonly referred to as Lingam, was a Ceylonese by registration and had been employed at one time as a clerk at Nanodaya College. While being so employed, he successfully passed his Teachers' Examination and was posted to Praja Gothami College, Kalutara as a teacher. In 1956 he was transferred to Panadura as an English Assistant at the Tamil Mixed School at Henamulla. When he was employed at Kalutara he was boarded at 160, Old Road, Kalutara and came to know Anandagoda who was also a boarder in the neighbourhood. When Lingam was transferred to Panadura, he left the boarding house at Kalutara and shifted to the house of the Village Headman of Walana, Panadura. Anandagoda then came into occupation

of the room vacated by Lingam at 160, Old Road. From 1953 Lingam was a close friend and confidant of Anandagoda and had even borrowed small sums of money from him. Their friendship continued even after Lingam was transferred to Panadura.

The campaign of deceit which commenced with Anandagoda's association with Adeline continued. He told his friend Lingam in November 1956 that letters addressed to Lal Atapattu would be delivered care of his address at Henamulla; that these letters were meant for him and that he had given a false name for a business purpose; that they should not be shown to anybody, not to talk about them and not to send them to him to Kalutara through anybody; and that Lingam should bring them himself when he came to Kalutara or that Anandagoda would call for them. Lingam received about 50 to 60 letters addressed in English and following his friend's instructions the letters were delivered to Anandagoda without anybody's knowledge. Lingam noticed that the addresses on the letters were written in a female hand and bore the Katugastota post mark. He then became suspicious about the business acquaintance and questioned Anandagoda, who then informed him that the letters were from a cousin sister who was a teacher at Kandy. Lingam chose to believe the story.

On August 6, 1957, Lingam had occasion to go to Colombo to get some forms from the Education Department. When he returned to Henamulla about 4 p.m. he found a middle aged woman and a pregnant young girl, dressed in saree, waiting to meet him. Punchimenike and Adeline had waited from 12 noon until Lingam returned from Colombo, in the fervent hope, that by coming to meet Lingam personally, they would be able to trace the whereabouts of the elusive Lal Atapattu. Their hopes were rudely shattered when Lingam informed them that he did not know a person by the name of Lal Atapattu; that he did not associate with Sinhalese people; and that he received no letters addressed to such a person. After making some other desultory and unsuccessful inquiries from the neighbours, for a person answering the description of Lal Atapattu or a person bearing that name, disappointed and crestfallen, mother and daughter came back to Colombo by bus and returned to Kandy the same night. Broken in spirit with

her castle of dreams crumbling all round her, Adeline returned to Palletalawinne and three days later on August 9, 1957, she gave birth to a female child at the Katugastota Hospital. After her discharge from Hospital a few days later, she returned home with the baby and continued to remain at home for two months.

By October 1957 the hitherto trusting Adeline, finding that she was the innocent victim of a mean and shabby deception had become a hardened young woman. Her young life had been ruined; she had brought disgrace on her family; and she had the added responsibility of bringing up a child, the true identity of whose father was unknown. She now had only one object in view, to endeavour by all means within her power to trace the whereabouts of her seducer and the father of her child. It was a campaign with which she set about with grim determination.

She first persuaded her milder sister Agnes to give up her job on Millakanarawa Estate and come back to Palletalawinne to look after the baby. Next, in response to an advertisement in the papers, she came to Colombo in November 1957 and sought employment under a Servants' Agency at Deans Road, Maradana, the proprietor of which was one Abeynaike. Abeynaike obtained employment for her at the bungalow of a representative of the Maldivian Embassy, where she was employed as a nanny for four months. When her employer left the Island, Abeynaike offered her employment at his bungalow at Pannipitiya to supervise the studies of his children. In the meantime she was making secret inquiries for the whereabouts of Lal Atapattu.

About the middle of 1958, Agnes came to meet her sister and gave Abeynaike the history of Adeline's unfortunate association with Lal Atapattu, which up to that time Adeline had not disclosed to Abeynaike. Agnes sought the assistance of Abeynaike to trace the whereabouts of the shadowy Lal Atapattu, who according to the information furnished to Adeline by Anandagoda, was employed at the Bank of Ceylon. Abeynaike telephoned the Bank and learnt that no person by that name was employed at the Bank. The only link which the sisters had between Lal Atapattu and Adeline's seducer was Lingam, and Agnes, who was deeply

concerned for her sister's welfare, sent a registered letter to Lingam pleading with him to help her sister to trace the whereabouts of Lal Atapattu. Lingam showed Agnes' letter to Anandagoda and at Anandagoda's suggestion he replied to Agnes that Lal Atapattu was not known to him.

In desperation, Adeline decided to make a second trip to Henamulla and contact Lingam. About the end of June she took a day's leave from Abeynaike and went to Panadura. Lingam recognised her as the girl who had come previously with her mother. On this occasion Adeline poured out her heart to Lingam and pleaded with him to help her to trace the elusive and shadowy Lal Atapattu. Adeline strongly felt that Lingam held the key to the mystery of Lal Atapattu. To the girl's pathetic appeals, Lingam's better feelings gave way and he relented. He realised that it was this girl who had written the several letters addressed to Lal Atapattu; that Anandagoda had seduced her under a false name; that she had given birth to a child, the father of whom was Anandagoda; that his friend had played a shabby trick on the unsuspecting Adeline; and he therefore decided to disclose to her the true identity of Lal Atapattu. He revealed to her that Lal Atapattu's real name was Jayalal Anandagoda and that he was a teacher at Nanodaya College, Kalutara.

In June 1958 the curfew was in operation owing to the communal riots and as Adeline had come to meet Lingam late in the afternoon, there was no prospect of her returning to Pannipitiya before the curfew was imposed. Lingam, therefore, made arrangements with one K. Sirisena Silva of Panadura for Adeline to stay the night at Sirisena Silva's mother's house at Panadura and Lingam asked Sirisena Silva, who was known to Anandagoda, to accompany Adeline the following morning to Kalutara and show Anandagoda to her.

It was with mixed feelings that Adeline received the news that at last she had succeeded in discovering the true identity of her seducer and the father of her child. On the one hand she had reason to be satisfied that she had at last unravelled the mystery of the elusive Lal Atapattu. But on the other hand there was

fear gripping her heart at the thought of confronting Anandagoda. What would be the reaction of Anandagoda to the discovery? Would he act with complacency when he knew that his villainy was exposed.? Would he accept her with contrition and meekness or would he want to teach her a lesson for her tenacity.? These were natural fears that crossed her mind at the time.

That night, after dinner, she took Sirisena Silva into her confidence and gave him a detailed account of her unfortunate association with Anandagoda. To him, she expressed her fears and told him that she did not know what Anandagoda's reaction would be to her discovery and told him that if, on the following day, Anandagoda should remove her in a car, he should note the number of the car.

CHAPTER III

THE GATHERING STORM

The last occasion when Adeline and Anandagoda had met was early in 1957, when Anandagoda had come to Palletalawinne soon after Adeline had conceived and given the assurance to Abraham and Punchimenike that he would look after Adeline and marry her after his examinations were over. It was now June 1958 and Adeline's child was almost an year old.

When Anandagoda realised that Adeline had successfully traced his whereabouts and discovered his true identity he must have known that the game was up. At the time Adeline walked into the College premises he was speaking to the Principal, but he was sufficiently quick-witted to spin a story to the Principal that a cousin of his had come from Galle to inform him of the illness of one of his brothers at Galle. He asked for half a day's leave and went to meet Adeline. He asked her to get into the rear seat of his car and drove the car out of the College premises. The car proceeded a little beyond the boutique where Sirisena Silva was waiting and halted. Anandagoda then came to the boutique and informed Sirisena Silva that Adeline wanted him. Sirisena Silva got into the front seat of the car and Anandagoda drove the car in the direction of Katukurunda. After proceeding some distance, Sirisena Silva alighted from the car. Adeline thanked him for his assistance, gave him two rupees and asked him to return to Panadura by bus. Anandagoda then brought Adeline direct to Colombo, engaged a taxi and asked Adeline to get back to Pannipitiya.

As to what transpired between Adeline and Anandagoda on the journey to Colombo remains a mystery, but apparently the wily Anandagoda was soon able to regain the confidence of the girl by his glib talk. He had persuaded her to give up her job at Pannipitiya and return to Palletalawinne and on June 28, Adeline left Abeynaike's services and returned to her village.

Abeynaike was sorry to lose the services of a loyal and efficient employee and gave her a good certificate before she left.

Anandagoda had come into occupation of the room vacated by Lingam at the boarding house in October 1956. Opposite this boarding house lived a family of some social standing consisting of the mother, two grown up daughters and several sons. Anandagoda became quite friendly with this family and he paid his attentions to the eldest daughter of that family. Not long afterwards a definite understanding was reached between Anandagoda and this girl and Anandagoda sent a proposal of marriage to her which was accepted and favourably received by the other members of the girl's family. Horoscopes were exchanged and the girl was unofficially engaged to be married to Anandagoda.

At the end of December 1956 the mother of the girl purchased a house and property at Panadura and shifted from Kalutara to Panadura and went into residence to her newly purchased house. Anandagoda was a frequent and welcome visitor at his girl's house at Panadura and in 1957 he left his boarding house at Kalutara and became a boarder at the house of his fiancée at Panadura occupying the front room which opened out into the verandah. Anandagoda's fiancée was employed as a clerk at the Central Bank and used to travel daily to Colombo by train. Anandagoda frequently dropped her at the Panadura Railway station on his way to Kalutara and, whenever he went to Colombo on any business, brought her back in his car to Panadura. Since Anandagoda had to be in Kalutara most of the day, his usual practice was to have his lunch at Kalutara, come back after work, attend to the affairs of the Guest House at Moratuwa and then come to his fiancée's house for the night. His clothes were kept in his fiancée's wardrobe. It was well known, both at Kalutara and Panadura, that Anandagoda was engaged to be married to the young lady and they used to get about together quite openly from the end of 1956 to the beginning of 1959. Had it not been for his affair with Adeline Vitharne life would have progressed very pleasantly for the young school teacher. Anandagoda's fiancée was of the same social standing as himself and the contemplated marriage into the girl's family was an attractive proposition as far as he

was concerned. In his relations with the girl and the members of her family he had conducted himself most honourably.

When therefore at the end of June 1958 Anandagoda was 'discovered' by Adeline and his true identity revealed there was a grave risk of his forthcoming marriage meeting serious obstacles. As far as Anandagoda was concerned, the Adeline episode was in the nature of a bad but pleasant dream, which he wanted to blot out of his memory and cast out completely from his life. It did not therefore suit his plans that Adeline should be seen too frequently in the vicinity of his place of work, and much more important that she should not visit him at Panadura and run the risk of a possible confrontation with his fiancée. The baker's daughter from Palletalawinne may not have been a rival to the white collar worker from the Central Bank, but her presence in the neighbourhood of Kalutara and Panadura could be a source of considerable embarrassment to Anandagoda whose main object was to cast her off like an old shoe. It was for this compelling reason that Anandagoda persuaded Adeline to give up her comfortable job with Abeynaike to ensure that she would be relegated to the backwoods of Palletalawinne far from his normal haunts.

With her more conservative parents, Anandagoda might have succeeded in settling his account with the girl he had seduced, through the good offices of his prosperous brother at Rambukkana, but he had to reckon with a strong-willed and obstinate Adeline, who even if she had succumbed to his blandishments and false promises temporarily, was determined to regularise her intimacy with her seducer on a proper legal footing and ensure the legitimacy of her infant daughter.

Although Anandagoda might have been disturbed in mind that the guile and deceit he had practised on the unsuspecting Adeline had now come to light, he appeared to be too callous to be unduly perturbed. After all had he not carried on this double deception soon after he was engaged to be married? To him the meeting with Adeline only afforded an opportunity to renew an intimacy with a young girl whom he thought he had successfully deceived.

Adeline Vitharne returned to Palletalawinne with one part of her task accomplished and on her return to the village expressed her gratitude to Sirisena Silva by writing to him and thanking him for his assistance. She also asked him to convey her thanks to Lingam, without whose help it would have been a well nigh impossible task for her to trace the whereabouts of her lover. But difficult and trying problems yet remained to be solved. With marriage being her ultimate goal, she would require remarkable skill and tact to get the better of the more wily Anandagoda, an achievement with little hope of success having regard to her simple background.

Anandagoda's position was also becoming more difficult. No longer was his affair a clandestine romance and he had to deploy considerable ingenuity to appease the insistent Adeline. Having regained the confidence of the girl and having succeeded in making her forget his past deceptions, it now became necessary for him to see Adeline more often at Palletalawinne, if only to prevent her from visiting either Kalutara or Panadura. After Adeline left Abeynaike's services at the end of June 1958, Anandagoda promised to come to Palletalawinne the following Sunday and on the following Sunday, Punchimenike and Adeline went to Kandy with the child to meet Anandagoda. For the first time Anandagoda set eyes on his child. He told them on this occasion 'not to listen to village gossip, and that he was a respectable person and that he would do no wrong' and promised to look after Adeline and the child. He tried to persuade Adeline to part with the child but Adeline refused and he left, after giving Adeline Rs. 30/- for the child's expenses. Ten days later Adeline received a telegram asking her to meet him at the Kandy Railway Station, and on this occasion she was given Rs. 40/- to get some clothes for herself.

The period after June 1958 was one of uneasy compromise for both Anandagoda and Adeline. Although Anandagoda had come to Palletalawinne on two occasions in early July and given money to Adeline, Anandagoda's plans were apparently to shake off the persistent Adeline altogether. A letter written by Adeline to Anandagoda dated August 5, 1958, a copy of which she had kept with her, revealed a most distressing and startling state of

affairs. According to Adeline's letter, Anandagoda had met her on Wednesday July 23, and falsely told her that he was a married man with a four year old son; that he had a good and virtuous wife; that he was engaged in several unsavoury transactions; that he would bring a woman in charge of a bawdy house to remove her child; that he would kill the child if he could lay hands on it; that he had affairs with several other girls; and that he would use thuggery, in the same way that he beat up Tamil School Principals (shades of the Rajaratnam episode) to prevent her from forcing him to marry her. By these false statements and threats he was hoping to frighten the simple Adeline. But these threats had no effect on Adeline, who in her letter of August 5, was threatening to expose his villainy. She would undoubtedly have written to his fiancée had she known of her existence and had she been aware that Anandagoda was engaged to be married to her. On her part, realising by this time that she had lost almost everything of value—her honour, her reputation, her chances of getting married and the sympathy of her parents and friends—she felt that she had no alternative but to attach herself to the man who had ruined her, in the fond and expectant hope that something worth while might materialise to rehabilitate her lost fortunes. There is a curious mixture of lust and hatred that existed during the period subsequent to August 1958. The visits to Palletalawinne continued during September and October 1958 and these visits were preceded by the usual telegrams. Whenever Anandagoda got the opportunity he did not hesitate to vent his unbridled lust on the girl, who was apparently too frightened to refuse and too eager to satisfy, in the hope that something concrete might result. Something concrete did result but not what she expected. By the end of October Adeline had again become an expectant mother.

No one knows where the acts of intimacy occurred on these occasions, but Adeline used to be out with Anandagoda sometimes for more than a day. On one occasion he had taken her to a Guest House at Bentota and the Guest House books revealed that Mr. and Mrs. A. Jayalal had spent the day at the Guest House and had lunch. After October 1958 there was a silence for about a month and the anxious Adeline told her mother that she was

going to Kalutara to meet Anandagoda. She came back two days later, about midnight, in Anandagoda's car and was given Rs. 30/- on that occasion. Adeline was drifting hopelessly in an uncharted sea, because honourable intentions were far from Anandagoda's thoughts at any time.

About the end of October 1958 Abraham became very distressed at the disgrace that had befallen his family and left Palletalawinne in disgust never to return again. He went back to Gonagala and lost contact with the other members of his family. Agnes was following a Montessori course in Colombo from July 1958 and on September 1, obtained a teacher's appointment at St. Bernard's Convent, Nawalapitiya and left Palletalawinne. She only visited her mother during the week-ends. The only occupants of the Palletalawinne house at the end of 1958 were Punchimenike, Adeline and the baby. Agnes made some contribution from her salary towards the domestic expenses and Adeline used to get small sums of money from Anandagoda.

Having failed to get rid of the troublesome Adeline by threats, cajolement and false promises, Anandagoda now adopted new tactics and we come to the most sordid part of the history of the illicit relationship between Adeline and Anandagoda, an episode which revealed the true character of the villainous Anandagoda.

Towards the end of November 1958 Adeline received the usual telegram from Anandagoda asking her to meet him at the Kandy Railway Station. When she went there she found Anandagoda in the car with two other females, a middle aged woman in saree and a young girl of about 18 years of age. The older woman was introduced to Adeline as Anandagoda's mother and the younger girl as his sister. Anandagoda told Adeline that they had come to accompany her to Galle to finalise the wedding arrangements and that she would be able to wear his sister's clothes for the occasion. Adeline was however not willing to deck herself in borrowed finery and insisted on going home to fetch her clothes. Anandagoda was not anxious to be seen at Palletalawinne while there was still daylight and the party dawdled round the Kandy lake until darkness set in and only then proceeded to Adeline's house. When

they arrived at Palletalawinne, Adeline and Anandagoda's mother entered the house. Punchimenike greeted the mother in oriental fashion and the mother told Punchimenike that 'her son worshipped her and said something wrong had happened at his hands and that she had come to take her daughter, meaning Adeline, to their native place at Galle to be married to Anandagoda lest there should be trouble'.

Punchimenike and Adeline believed the mother's story and Adeline packed her clothes, books and certificates into a large fibre suit-case, which had been presented to her by Agnes, and prepared to leave. Before leaving, Punchimenike gave her blessings to her daughter and asked the mother to look after Adeline. The mother told Punchimenike that the child could be brought later. Adeline sat in front with Anandagoda, while the mother and sister sat behind. On the journey from Palletalawinne Anandagoda and Adeline were discussing plans about renting a house and bringing the child and Punchimenike to live with them.

Instead of proceeding to Galle for the contemplated wedding, Anandagoda took the road to Alawwa and halted his car close to a village called Walakumbura. The mother and sister alighted at a house by the main road and Anandagoda told Adeline that he had some work at Kalutara and asked her to remain with his mother and sister until he returned. He then went away driving his car, leaving her behind at the house. Adeline remained at Walakumbura for about twelve days and thereafter returned to Palletalawinne in a raging temper, leaving her suit-case and her belongings behind at Walakumbura. The reason for Adeline's conduct soon became obvious. Anandagoda's 'mother' was a much married woman called Millie and his 'sister' a pupil of Nanodaya College called Chandra. Adeline had been brought to the Walakumbura house under false pretences.

Millie was a woman with a murky past. She had been married to one P. H. W. de Silva by whom she had five sons and one daughter, Chandra. After the death of her husband she went on a man-hunting spree and became the mistress of several men in various parts of the country, until she settled down to presiding

over several houses, which can only be described as houses of ill fame. Although she claimed that Chandra was her daughter by Silva, Chandra herself refused to recognise her as her mother, perhaps due to Millie's disreputable conduct. After Silva's death, Millie ran a boarding house at Asgiriya and at that time she had two paramours, James and Isacson. She ran boarding houses of doubtful reputation in various parts of the country—Kiribathkumbura, Pussellawa, Ragama, Walakumbura and finally Warakapola. She had to give up these places in a short time because the villagers soon got to know the true nature of the boarding house and made it uncomfortable for her to continue to remain at any one place for any length of time. When she was at Walakumbura she was the mistress of a Vedamahaththaya and over this association there had been displeasure between Chandra and herself. Millie was such a miserable specimen of womanhood that she had no qualms about making immoral arrangements for her own relations.

The house at Walakumbura was no exception to the previous boarding houses run by Millie. At this joint, Chandra was visited by a youngster called Frank who used to come on a motor cycle and take Chandra on the pillion to watch motor cycle races. Chandra was ultimately seduced by Frank and left Walakumbura to reside in a separate house at Alawwa and later settled down with Frank on Aswedumma Estate, a portion of which Frank had taken on lease. Chandra and Frank ultimately decided to get married. Stones used to be pelted at Millie's house at Walakumbura by the villagers and on one occasion the tyres of a car which had been halted opposite the house were found cut. Young girls were frequently seen and strangers used to be in and out of the house. When Millie found the place getting too uncomfortable, she abandoned the house and shifted to Warakapola, at which place the Police ultimately traced her.

It was into this disreputable atmosphere that Anandagoda brought the unsuspecting Adeline. When she became aware of the deception, she confided in Chandra and told her that she would take immediate steps to sue Anandagoda for maintenance, a threat which Chandra subsequently conveyed to Anandagoda. It is not difficult to understand Anandagoda's foul motive in bringing

Adeline to Walakumbura and keeping her at Millie's house for a length of time. Not only did he want to besmirch the character of the innocent girl he had seduced, but since she had conceived again by him, it was not difficult to father the unborn child on one of the numerous clients of Millie. Anandagoda himself did not spend a single night at Walakumbura during the period that Adeline remained there.

No wonder Adeline, against whose morals nothing could be urged, except that she fell a victim to the artifices of Anandagoda, to whom she remained loyal to the end, left Walakumbura in disgust without even removing her humble belongings. Her suit-case was later found open at Millie's house at Warakapola, with the lock forced open and most of her clothes missing, while some of her books and certificates were found with Chandra on Aswedumma Estate.

It was early December when Adeline came home from Walakumbura; her pregnancy was becoming advanced; her father had deserted her; her mother was too simple to be of any assistance; and it was only the kind Agnes who showed her some sympathy and helped her in a small way financially. Just before the December vacation she made one more desperate attempt to meet Anandagoda and settle her account with him. Perhaps she had the example of Lingam before her and she thought the adamant Anandagoda might relent in the same way. She went to Kalutara a few days before the school closed for the Christmas vacation and was seen by one of the employees of the College, dressed in a saree and wearing her hair in a pony tail, in earnest conversation with Anandagoda near the waiting room of the College. After some time the same employee saw her leave the school in tears. She had failed to move the hard-hearted Anandagoda.

1959 dawned with little prospect of Adeline achieving her object of getting her seducer to marry her, legitimise the child that had already been born and ensuring the legitimacy of the child she was carrying. There were no more letters and telegrams. Anandagoda made one last attempt to buy off Adeline. On January 11, 1959 about 7 p.m. Anandagoda came to Palletalawinne

with Millie and Chandra, while returning from Teldeniya, where they had gone to meet another young woman. The car was halted near the house and Agnes, who was at that time spending her holidays at home, took the child and went up to the car. While Chandra was anxious to satisfy her curiosity by having a look at the child by the hood light of the car, much to Anandagoda's annoyance, Agnes and Anandagoda fell into conversation. Anandagoda asked for the custody of the child and told Agnes that he was prepared to make a settlement of Rs. 3000/- on Adeline if she broke off her association with him and married another man. Agnes' sensible reply to this base suggestion was that no man would marry her sister in her present condition for any sum of money. Meanwhile Adeline appeared on the scene and heard something of Anandagoda's proposal. She lost her temper and commenced to abuse Anandagoda threatening him with Court action which would expose him. There was a heated argument between Adeline and Anandagoda, in which Chandra too joined, and ultimately Anandagoda told Adeline to seek her remedy in Court and left the place.

Soon afterwards on January 19, Adeline sent a registered letter to the Principal of Nanodaya College asking him to use his good offices to bring about a settlement with Anandagoda. The Principal showed the letter to Anandagoda, but the latter denied the allegations contained therein.

The last attempt made by Adeline to bring about a settlement was through Charles Anandagoda. In early February she left with the child for Alawwa and remained for four days with Chandra. From Chandra's house she tried to contact Charles Anandagoda at Rambukkana and failed, and since she was not a welcome visitor at the house of Chandra she returned to Palletalawinne.

Adeline's persistence was becoming embarrassing to Anandagoda. The double deception practised on Adeline and his fiancée could not continue indefinitely. Up to this stage, the mistress did not know that he was engaged to be married to another girl and the fiancée was unaware of his secret relations with the simple Kandyan girl from Palletalawinne. A further complication pre-

sented itself to Anandagoda. His fiancée's mother thought the time was ripe for her daughter's marriage and had tentatively fixed the wedding for sometime in August 1959.

Something had to be done and done quickly to prevent this young woman from pestering Anandagoda and ruining the chances of his marriage and jeopardizing his entire career. To him she was becoming an unbearable nuisance. The storm that had been gathering since June 1958 was about to burst and it was not going to take much longer before the flood gates of heaven were going to be unleashed in its full fury to envelop the actors in this drama in complete destruction.

CHAPTER IV

KALAWELLAWA

When Abraham returned to Gonagala at the end of October 1958, he was a broken man. Adeline, the apple of his eye, the envy of his neighbours and the attractive daughter in whom he had rested all his hopes and aspirations, had brought disgrace on him and his family. He largely blamed his wife and his younger daughter for his unfortunate plight. From small beginnings Abraham had toiled the hard way to success; he had set up a prosperous business; he had built his own home; he had given his children the best of education within his modest means; and he looked forward in the evening of his life to seeing his daughters comfortably settled. From the time he went back to Gonagala he spoke, sometimes in affectionate and at other times in bitter terms of his younger daughter. The stress was too much for him and very soon his mental faculties began to get affected. As the months passed he became worse and by February 1959 news was received at Palletalawinne of his deteriorating state of mind. His younger brother, Martin informed Punchimenike by telegram that he was going to produce him before the Balapitiya Courts to have him sent to the Mental Asylum at Angoda. He was removed to Angoda on March 16, two days after Adeline's death, and he subsequently died at the Asylum in the course of the same year.

When news of Abraham's illness was received at Palletalawinne, Adeline decided to travel to Gonagala to meet her father and also visit Kalutara at the same time. Adeline never went to Gonagala and neither father nor daughter was destined to see each other, either alive or dead.

On March 2, 1959 about 8.30 a.m., Adeline Vitharne left her home at Palletalawinne, informing her mother that she was going to Kalutara to meet Anandagoda and thereafter proceed to Gonagala to visit her ailing father. When she left the house she was dressed in a cherry voile rose coloured sarée, a silk rose coloured blouse, charmeuse rose coloured underwear and had a pair

of black ladies' shoes with straps on her feet. She wore a pair of gold ear studs set with white stones in a floral design and a chain with an amulet round her neck. She carried with her a black plastic bag, containing her other clothes, which consisted of some skirts and blouses, and took with her a black ladies umbrella. This umbrella was one which was used by the other members of the household as well. This was the last occasion when Punchimenike saw her younger daughter alive.

March 2, 1959 was Pay Day at Nanodaya College and the Principal had asked Milton Perera, one of the teachers, to proceed to the Post Office and fetch the money for the payment of the salaries. Since Milton Perera had not brought his car to school, he asked Anandagoda for the use of his car to bring the money. Anandagoda, however, did not turn up at the required time and Milton Perera and the Principal had to fetch the money from the Post Office. While the salaries were being paid, Anandagoda who had gone out in his car, returned, and was paid his salary. Milton Perera did not inquire from Anandagoda why he could not keep the appointment, but his failure to do so was explained by Mrs. T. B. Baby Nona who lived in a house opposite the entrance to Nanodaya College. Baby Nona saw a pregnant young woman, dressed in a rose coloured saree with a plastic bag in her hand close to the fence of Nanodaya College talking to a school girl called Gunawathie de Silva. A little later Baby Nona got out of her house and saw the same young woman looking very worried, supporting herself on a bamboo prop, close to the drain. On questioning the young woman she was told that she was waiting to meet Anandagoda. In the meantime Gunawathie de Silva had gone and informed Anandagoda that a young lady was waiting to meet him near the entrance. About ten minutes later, Baby Nona saw Anandagoda, whom she had known previously, coming out of the school premises in his Fiat car. Anandagoda halted the car, spoke to the young woman, put her in the rear seat of the car and drove the car in the direction of the Galle road. He came back to the school a little later without the young woman. Baby Nona and Gunawathie de Silva were unable to identify the young woman, but Anandagoda in his statement to the Police admitted that Adeline met him on March 2, about 1.30 p.m. at the College

and there can be little doubt that the young woman whom Baby Nona and Gunawathie de Silva saw on this occasion was Adeline Vitharne.

Anandagoda had proceeded in the direction of Katukurunda Junction and had left Adeline at some place and returned to the College.

On the same day, Podisingho Perera, who was charged as the second accused at the trial, had arranged to meet Anandagoda, as he was expecting Anandagoda to get him a job at the Park View Guest House. Podisingho Perera was a waiter at the Thaksala Hotel, Kalutara and had known Anandagoda since 1956. Anandagoda used to take his meals from this Hotel and sometimes Podisingho Perera brought his meals to his boarding house.

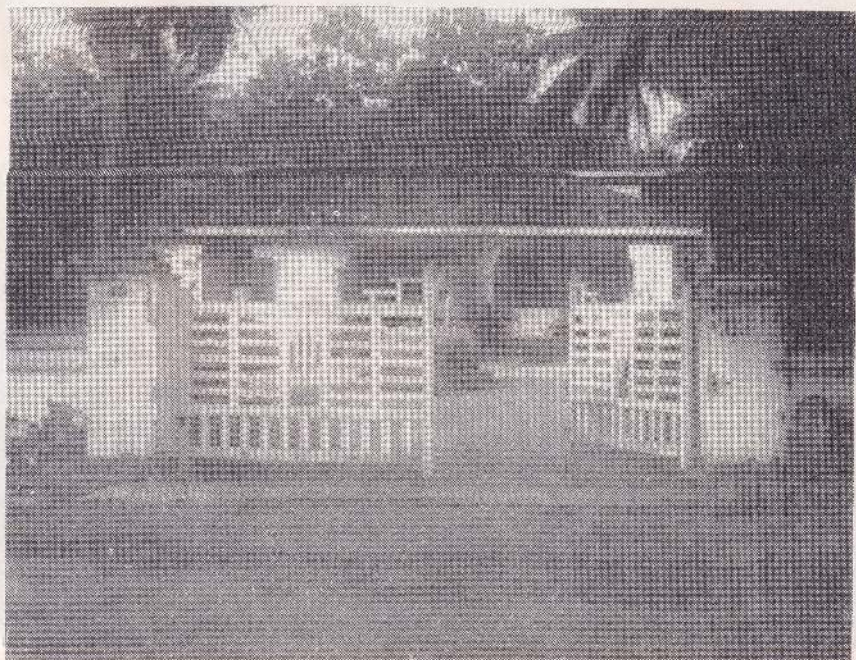
Podisingho Perera came to meet Anandagoda at the house of a teacher called Tennekoon. While Tennekoon and another teacher called Sirisena were having lunch, Anandagoda inquired from Podisingho Perera whether he could accommodate a girl in his house for a few days. Podisingho Perera told Anandagoda that he could not afford to do so, but not willing to displease Anandagoda, suggested that he could make inquiries from his brother Alo Singho, who lived in the village of Kalawellawa, but that these inquiries could only be made the following day, since he had to purchase some fish at Kalutara, which was urgently required for a wedding house that evening. Anandagoda was however in a hurry, since he had to make some arrangements for Adeline's stay that day and he prevailed upon Podisingho Perera to accompany him to Kalawellawa that afternoon, promising to bring him back to Kalutara that same evening to purchase the fish. Podisingho Perera then agreed.

Anandagoda and Podisingho Perera then got into the Fiat car and after Podisingho Perera was dropped at the Katukurunda Junction, Anandagoda proceeded towards Alutgama and came back within ten or fifteen minutes with Adeline. The three of them left towards Kalawellawa along the Matugama road.

Kalawellawa is a village situated about twenty miles from Kalutara and could be reached by road either through Matugama or Kalutara North. It is a pretty village nestling on the banks of the Kuda Ganga, a tributary of the Kalu Ganga. Close to the village is the Kalawellawa ferry, across which the traveller could proceed towards Horana and Panadura. About a mile from the village, in the direction of Matugama, is situated the Mahagama Circuit bungalow, which affords a haven for visitors, who wish to spend a quiet week-end amidst rural surroundings. The Kalawellawa bazaar consists of a few shops, which cater to the needs of the villagers, most of whom were workers on the neighbouring estates. Fruit trees-jambu, mangosteen and rambuttan-abounded in the locality and close to the ferry was a favourite bathing place for the villagers. It was to this rustic village, not out of choice but of necessity, that Anandagoda brought Adeline on the evening of March 2, and where she continued to reside until March 14, when she left in the company of Anandagoda and Podisingho Perera on her last journey. It was in this village that Adeline Vitharne spent some of the happiest and most care-free days in her young and tragic life.

The Headman of Welgama, within whose jurisdiction the village of Kalawellawa fell, was Don Arthur, who lived across the Kuda Ganga in the Bulathsinhala Police area.

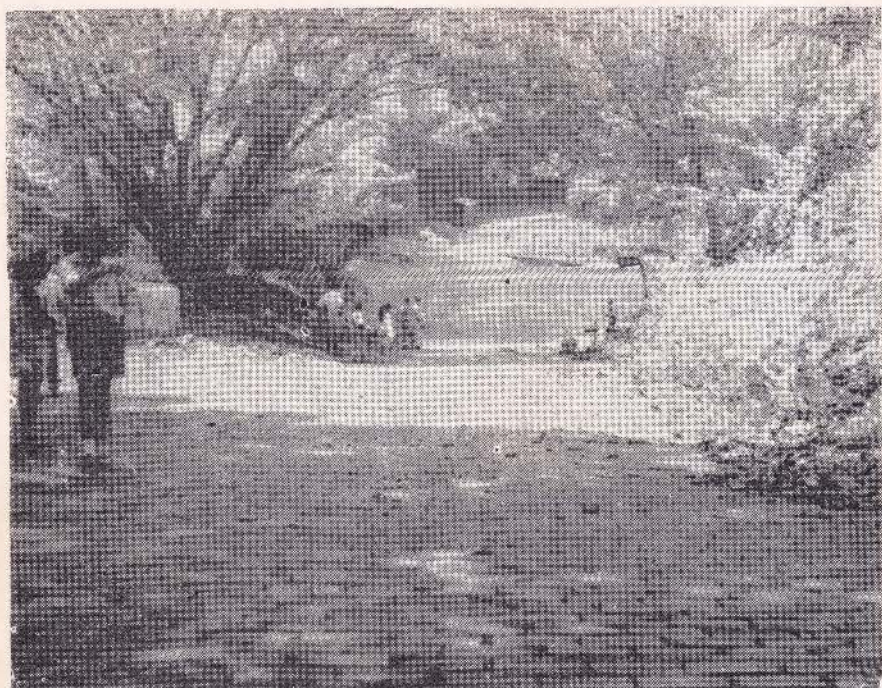
When Anandagoda reached Kalawellawa, he found that Alo Singho had not yet returned from work and he had to wait for some time on the main road. To him the waiting was essential, to ensure that Adeline could be kept in a safe place. When Alo Singho ultimately arrived and the proposition was put to him by his brother, he was at first reluctant, as his household was already a large one, consisting of his mistress Chandrawathie, her five sisters and their mother Hamu Nona in addition to his own children. But Anandagoda's persuasive methods, supported by a payment of ten rupees, paid dividends and Adeline was safely deposited at the house of Alo Singho on the evening of March 2, with the promise that the stay would only be for the short duration of about a week. Anandagoda then left Kalawellawa with Podisingho Perera and returned to Kalutara and Podisingho



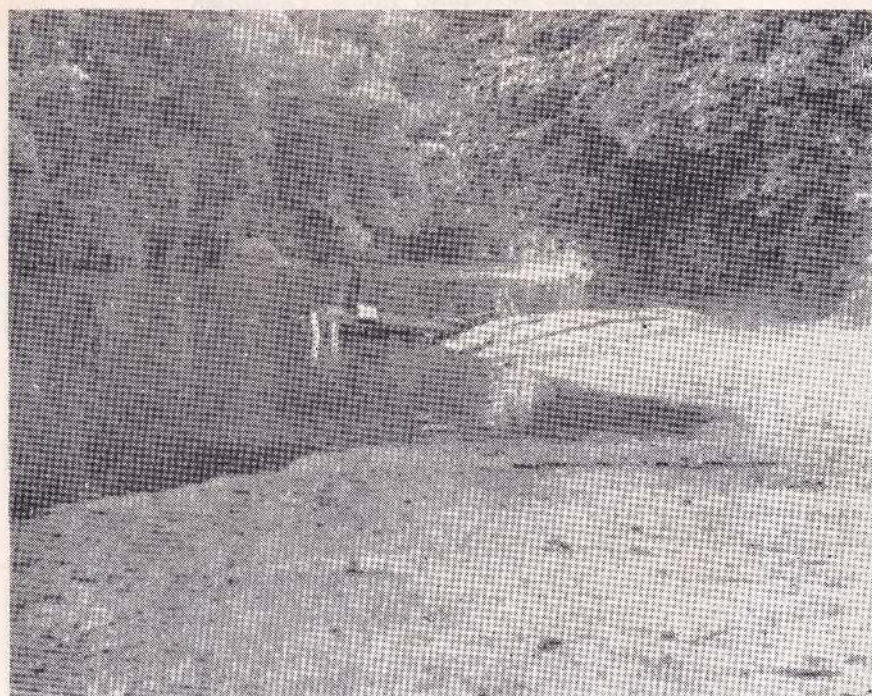
ANANDAGODA'S BOARDING HOUSE, PANADURA



ALO SINGHO'S HOUSE, KALAWELLAWA



KALAWELLAWA FERRY



BATHING PLACE, KALAWELLAWA

Perera was in time to buy his fish. For Anandagoda, a difficult and embarrassing situation had been temporarily adjusted and he had now to get ready with his diabolical plan to get rid of the troublesome Adeline Vitharne.

Alo Singho was a tapper employed on Mirishena Estate and lived on the top of a hill in a thatched house built of mud and wattle on a Crown allotment. There was a footpath which led up to the house from the main road, and close to the place where the footpath joined the main road, was built a water tank, which was used by the villagers to bathe and wash their clothes and also provided a convenient source of water supply to enable motor vehicles to be washed.

Adeline was a stranger to Podisingho Perera and while accompanying her up the hill to Alo Singho's house, he inquired what relationship she had with Anandagoda and he was informed that she was engaged to be married to him.

To Hamu Nona, Adeline stated that her mother was from Katugastota and that her father was from Bentota and that as her relatives were not well disposed towards her she was looking for a place where her paramour and she could live in peace. She told Karunawathie, one of Chandrawathie's sisters that her people were from Moratuwa but did not disclose her name. Alo Singho only learnt that her parents were from Kandy and that she was married to the gentleman who brought her in the car and that she and her husband were on the look out for some property with a house in the locality, which they proposed to purchase for them to reside. Regardless of the contradictory versions given by Adeline to the members of Alo Singho's household, it would at least have been obvious to everybody, in view of Adeline's advanced state of pregnancy, that Anandagoda had been living in terms of intimacy with her. It is apparent that the concealment of Adeline's true identity was on the directions of Anandagoda, who had instructed Adeline not to disclose her identity to the members of Alo Singho's household and the villagers of Kalawellawa. To the Kalawellawa folk, Adeline Vitharne was a stranger and not known by name, but it is inconceivable that during her twelve day stay at

Alo Singho's house, the members of Alo Singho's household did not become aware of some name by which she was known.

The presence of a stranger in a village always evokes the curiosity of the villagers, and when the stranger happens to be a young and attractive woman and obviously of a higher social status than the people with whom she resides, their natural curiosity is increased ten fold.

Several persons living in the village gave evidence at the trial, that the attractive stranger who lived in Alo Singho's house was Adeline Vitharne, from photographs of Adeline Vitharne which were shown to them and also the photographs that appeared in the press, but strangely enough Alo Singho and the females living in his house, who would have been in the best position to identify the young woman, who lived for twelve days in their house, pretended not to be able to identify her as Adeline. Their non-cooperation with the Police was probably due to the fact that Podisingho Perera was made an accused in the case and the possibility that Alo Singho too might be made a suspect. The Police, however, after a careful and painstaking investigation at Kalawellawa, were able to positively identify the attractive unknown stranger who lived in Alo Singho's house as Adeline Vitharne and also identify Anandagoda's car as having been seen at Kalawellawa between March 2 and 14.

Udakandage Albert, a car driver employed under Mr. T. D. Fernando of Kalawellawa had seen a person whom he described as a 'fair, handsome girl' in Alo Singho's house from March 2. He had seen her visiting boutiques and going to the river for a bath in the company of the females in Alo Singho's house. The stranger was apparently of a higher social status than the members of Alo Singho's family. She wore a skirt and blouse and had wooden clogs on her feet. When photographs of Adeline Vitharne and photographs appearing in the press were shown to him he was able to identify the stranger positively as one and the same person.

Another car driver, Peter Silva who lived at Kalawellawa opposite the land on which Alo Singho's house was situated, close to the banks of the Kuda Ganga, had seen the unknown

stranger going several times to bathe in the river. She used to pluck jambu fruit from his tree. He described her as 'fair and pretty wearing two small ear studs set with stones' and she appeared to be three or four months pregnant. On Sunday March 8, when Peter Silva was travelling in his employer's car with a school boy called Karunasena, towards a Vedamahathaya's house to call him to attend on his sick wife, he saw a Fiat 1100 car, 1 Sri 6265, come from the opposite direction towards Kalawellawa. He identified Alo Singho in the car, which was driven by a gentleman wearing spectacles. As the car passed him, Karunasena, who was a student of Nanodaya College remarked to Peter Silva that the driver whom he referred to as 'Our Sir' was Anandagoda who was a teacher at the school. Peter Silva himself had seen the car on about three occasions prior to March 8, halted on the road close to the turn-off to Alo Singho's house. Subsequent to March 8, he had seen the driver, whom he now knew as Anandagoda, partaking of some refreshment in the company of Alo Singho at the Mahagama Circuit Bungalow. From the photographs shown to him by the Police and the photographs appearing in the press he was able to identify the unknown stranger as Adeline Vitharne.

Karunasena, who was traced in consequence of Peter Silva's statement, supported the account given by Peter Silva.

Another seventeen year old schoolboy, Hewage Premaratne furnished valuable information to the Police about the movements of Adeline Vitharne and Anandagoda during this period. Premaratne was a student of St. Mary's College, Matugama and at the time of his interrogation by the Police in June 1959 was living with his uncle Jothipala at Matugama. During March of that year he resided at Kalawellawa with another uncle, Martin, since his parents were employed at Polonnaruwa. Martin's house was close to that of Alo Singho and whenever the inmates of Alo Singho's house went to the river for a bath they had to pass Martin's house. Premaratne usually returned to Kalawellawa from Matugama by the 1.30 p.m. bus after the school sessions were over. According to him, early in March he had frequently seen the members of Alo Singho's household going for a bath and among them

he noticed the unknown stranger, who was obviously a visitor to Alo Singho's house. She was dressed in a blouse and skirt and wore her hair in two plaits and had her feet shod in wooden clogs. On the return journey she had her hair loose. He remembered on one occasion the stranger dropped her comb and he picked it up and gave it to her. She appeared quite friendly and accepted some jambu fruits from him and gave him rambuttans in return. He was positive that she was the same girl whose photograph was displayed prominently in the local papers on March 16.

On March 14, which was a Saturday, Premaratne was washing his sarong at the water tank below Alo Singho's house about 1 or 1.30 p.m., when he saw Anandagoda's car halted on the road close to the footpath. The car radio was on and he saw the driver, dressed in slacks and a white shirt wearing sun glasses, in an impatient mood. He was smoking several cigarettes, which he threw away half smoked. He sounded his horn and Alo Singho came running down the footpath. As he came down, the driver asked him 'What is the delay' (Mokada thavama parakku) to which Alo Singho replied 'Dressing'. A little later a lady dressed in saree with a black plastic bag, carrying an umbrella, came down the path and got into the rear seat of the car. The door was opened by a lean, tall man dressed in national costume, who later got into the front seat. Chandrawathie and her sisters came down and bade the lady farewell and the lady in saree waved to them in return as the car drove off. Premaratne had no difficulty in identifying the lady in saree as the stranger who accompanied Chandrawathie and her sisters for a bath. Premaratne had seen the same Fiat car driven by the same gentleman coming on an earlier occasion and proceeding towards the Kalawellawa ferry. The radio was on at the time and the car was a source of attraction in the village, especially to the children.

Premaratne saw the photographs that appeared in the newspapers on March 16 and was positive about the identification, but was persuaded by his uncle Martin to remain silent and not court trouble and undue publicity. It was only after Premaratne left Martin's house and went to reside with Jothipala that the latter questioned him and learnt of the valuable information in his

possession and persuaded his nephew to make a statement to the Police. On March 20, the tall lean man who got into the front seat of the car was again seen in the village by Premaratne, and on the same day this man was arrested by the Matugama Police and found to be Podisingho Perera. Premaratne's evidence established an important item of circumstantial evidence that Anandagoda and Podisingho Perera removed Adeline Vitharne from Alo Singho's house about 1.30 p.m. on March 14, and took her in Anandagoda's car.

Adeline Vitharne has been identified by several persons residing at Kalawellawa from photographs of Adeline shown to them and from the photographs appearing in the press. The Village Headman of Welgama saw her in Ebert Mudalali's shop at the Kalawellawa bazaar in the company of Hamu Nona when she came to purchase a pair of wooden clogs; Lentu Wickramaratne, who lived near the bathing place had seen her bathing and sold her mangosteens; and some witnesses had seen her smoking Three Roses cigarettes at the bathing place and the bazaar, a feature which was bound to attract the attention of the unsophisticated residents of the village. Adeline herself could not have failed to realise, that she was the centre of attraction during her stay at Kalawellawa and her pose of smoking cigarettes only made her presence in the village more pronounced and noticeable.

In the chain of circumstantial evidence against Anandagoda it was therefore established, that the identity of the unknown stranger who resided at Alo Singho's house between March 2 and 14, was none other than Adeline Vitharne; that Anandagoda had visited the village several times during this period; and that Adeline Vitharne, dressed in a saree and taking with her a plastic bag and umbrella, left the village about 1.30 p.m. on March 14, in the company of Anandagoda and Podisingho Perera. All this evidence has been supported by Anandagoda's admissions to the Police.

The movements of Adeline and Anandagoda at Kalawellawa formed an important part of the prosecution case, because it established that Adeline Vitharne was last seen alive in the company of two persons, who were subsequently charged with her murder, which took place that same night.

CHAPTER V

THE PLOT THICKENS

When Adeline Vitharne arrived at Nanodaya College on March 2, Anandagoda must have realised that something drastic had to be done to this young woman, who to use his own words was becoming an 'unbearable nuisance to him and making his life miserable'. She had threatened him with Court action; she had written to the Principal of his school; she was threatening to expose his conduct to the Director of Education; and she had nothing to lose by exposing him, particularly as she was pregnant a second time by him. Anandagoda's position was also becoming precarious, especially in view of his impending marriage. Deception, cajolement and threats had proved ineffective and the situation called for action; and swift and drastic action at that.

In Podisingho Perera, Anandagoda found a fortunate ally. With the promise of a job at his Guest House on April 1, he prevailed upon a reluctant Podisingho Perera to find a place for Adeline until his plans were ready; he was equally fortunate that Alo Singho agreed to keep her at Kalawellawa till Friday March 6, since nothing could be arranged until the week-end when the school was not in session. Taking leave in the course of the week would only arouse suspicion. But leaving Adeline at Kalawellawa was in itself insufficient, as it was essential that some plausible excuse had to be given to the brothers for her long sojourn in this distant village. Various grandiose schemes regarding the purchase of a suitable property of several acres in the neighbourhood of Kalawellawa, where Anandagoda and Adeline could live in peace and comfort, were trotted out to the simple Alo Singho as to why it was necessary that Adeline should reside at Kalawellawa for a short period.

Since Podisingho Perera was aware that Anandagoda had arranged to visit Kalawellawa on Friday the 6th, he came to Kalutara on the 5th, met Anandagoda and asked him to give him and his family a lift the following day to pay a social call

on his brother. After the school sessions on the 6th were over, Podisingho Perera met Anandagoda at the school, went with him to the Kalutara Clock Tower, where Podisingho Perera's family were waiting, and they all proceeded to Kalawellawa in Anandagoda's car.

On the way, Anandagoda informed Podisingho Perera, that he was not yet ready to remove Adeline and requested Podisingho Perera to persuade his brother to keep her for another week. He dropped Podisingho Perera and his family at Kalawellawa, did not meet either Adeline or Alo Singho and left almost immediately for Kalutara, promising to come the following morning to take Podisingho Perera and his family back to his village of Diyagama. He did not come on the 7th as promised and Podisingho Perera returned to Diyagama by bus on the 7th evening requesting his family to follow the next morning.

Alo Singho saw his brother on Monday March 9, at Kalutara and told him that Anandagoda had met him at Kalawellawa on the evening of the 8th and informed him that he would come to remove Adeline on Wednesday or Thursday. He was also requested at the same time to make inquiries for the purchase of a land of about 50 acres and had come to Kalutara to meet the owner of the land.

Since Anandagoda had not come on either of the promised days, Alo Singho came to Kalutara on Friday March 13, met Anandagoda and complained to him that it was troublesome to keep Adeline any longer at his house and wanted him to take her away as soon as possible. Anandagoda then promised Alo Singho that he would definitely remove her the following day, Saturday March 14.

Anandagoda was clearly playing a waiting game and his frequent visits to Kalawellawa and his arrangements with Alo Singho became necessary, only until his plans were finalised. These plans had taken shape on Friday March 13 and were to be executed over the week-end when the school was not in session.

The prosecution alleged that Podisingho Perera and Sirisena entered into a conspiracy with Anandagoda from March 2, to cause the death of Adeline Vitharne, but it is extremely doubtful whether they were aware of Anandagoda's plans from that day. If Podisingho Perera's confession to the Magistrate is believed, and there is no reason why it should not be accepted in regard to the events that preceded the murder, he did not know that Anandagoda had planned the killing even on the 14th, when they left Kalawellawa. In regard to Sirisena, there is some material in his statement from which it might be inferred that he was aware, before the 14th, that Anandagoda had plans for the killing of Adeline. In that statement, Sirisena has admitted that about a week prior to the 14th, Anandagoda had sought his assistance to get rid of a girl and he knew that what Anandagoda meant thereby was that the girl should be killed. He did not agree to the suggestion at first, but was persuaded by Anandagoda to lend his assistance. He was however not informed of any of the details as to the date or manner in which the girl was to be killed. Sirisena has admitted that even with regard to the assault on Rajaratnam, Anandagoda had sought his assistance.

Sirisena was the type of man whose services could be requisitioned for an enterprise of this nature. As a watcher employed at the Guest House, it was necessary that a strong man, commonly referred to as a chandiya, should be employed to deal with any kind of trouble that was likely to occur at this questionable joint and Sirisena, who was a tall and well set individual, fitted that role admirably. Even the other employees at the Guest House looked on him as something of a thug. Whether or not Anandagoda intended to utilise his services for his wicked crime would largely depend on the circumstances prevailing at the time.

Sometimes in the case of a premeditated crime, the criminal if sufficiently strong willed, will attempt to execute the crime without anybody's assistance, particularly if the circumstances do not require that he should disclose his plans to anybody. When Dr. Crippen decided to kill and dispose of the body of the flamboyant Belle Elmore, he required no assistance; Dr. Buck Ruxton's crime

was planned and carried out in the secrecy of his Lancaster flat and the killer Christie prepared the macabre details for the killing of his female victims without the assistance of anybody outside his flat. But Anandagoda was a novice at the game of killing and he needed moral support, if not material assistance to commit the crime of murder by running over his victim in the dead of night on a lonely jungle road. In enlisting the assistance of an accomplice there was also the added advantage of being always able to shift the blame on the lesser educated accomplice. It is significant that in one of his early statements to the Police, Anandagoda, while admitting his association with Adeline, and her removal from Kalawellawa on March 14, maintained that he told a rowdy called Sirisena to take her in his car to Katugastota, pay Rs. 500/- to Punchimenike to 'settle the affair' and leave Adeline at home, suggesting thereby that this Sirisena may have been responsible for the murder.

It is perhaps Anandagoda's familiarity with motor vehicles that prompted him to utilise a car to commit the crime. The use of the car had the advantage that the crime could be committed in a distant place away from his usual centre of activities, where he would not be known or recognised. It is however most unlikely that he ever intended to use his own, well cared for car, for the purposes of the crime.

Anandagoda had been a customer of the firm known as Avis-rent-a-car Service at Bambalapitiya for a considerable period. The proprietor of this Service was Rauff and the Manager, Ratnayake. Anandagoda had rented cars from this Service for his purposes, sometimes with a driver and sometimes without one. He was well known to Rauff, but his instinctive deceptive nature made him describe himself, not as a teacher employed at Kalutara, but as an Executive employed at the Bank of Ceylon and living at Moratuwa.

On March 12, Anandagoda had come to Rauff's office and inquired whether he could rent him a fast Triumph sports car as he needed it for a long journey. Significantly he did not mention the date for which he required the car. The Service owned

two such cars but both cars were not available, as they were popular cars usually rented by tourists. Anandagoda went away disappointed but came again on the 14th about 10 a.m. and repeated his request for the same car. Rauff told him that one car had been booked by Dudley Perera of the Shell Company for that afternoon and that he would inquire whether it could be made available. Rauff telephoned Dudley Perera, who informed him that he required the car at 1.30 p.m. that day and that it would be returned only in the evening. Anandagoda was in an excited mood and did not even sit down for a chat with Rauff, as was his usual practice. He had a switch key in his hand at the time, indicating that he had come to the office in a car. He was accompanied by another person who stood at the entrance and whom Rauff later identified as Sirisena. Anandagoda was again disappointed and then asked for another car for Sunday the 15th. Rauff then offered him a red Standard Vanguard, 1 Sri 2103, which he said was coming from Katunayake that evening for repairs. Anandagoda, however, undertook to drive it himself and assured Rauff that he would take good care of the vehicle. Ratnayake then took the booking for the 15th.

If Anandagoda had succeeded in obtaining the Triumph sports car for the 14th and 15th, the entire case might have taken a different course. The Triumph was a powerful sports car with a clearance of four or five inches; the necessity to take two accomplices may not have arisen and he might have been able to take Adeline to any desolate part of the country, kill her and dispose of her body. The car would have been returned to the Service and Rauff would have been none the wiser that his car had been used for a murderous purpose nor would he have any reason to disbelieve Anandagoda's statement that he had gone on a long journey towards Kandy and Katugastota.

But of course even if he had obtained the Triumph car he may yet have taken Sirisena, with some difficulty, to help him in his diabolical mission, since he had already disclosed to Sirisena his intention to murder the girl, but he probably never intended that Podisingho Perera should accompany him.

Fate had decreed that no other car, except his own, would be available for the crime which Anandagoda had planned for the night of the 14th and he was compelled, by force of circumstances, to risk using his own car and take with him as his accomplices, one to whom he had promised a job at his Guest House and the other his trusted employee. Subsequent events established that there was circumstantial evidence available to prove that Anandagoda's car was used for the commission of the crime.

The stage was now set for the crime which was to be committed on the night of March 14 - 15. The motive was clear. With his impending marriage he had to get rid of Adeline Vitharne, who was threatening to expose him and seriously jeopardize his future.

CHAPTER VI

JOURNEY'S END FOR ADELINE VITHARNE

On the morning of March 14, Anandagoda dressed in a pair of slacks and a white shirt left his boarding house at Panadura in his car about 6.30 a.m. He told his fiancée that he was going to Rambukkana to see his brother. From Panadura he proceeded to the Guest House, where he attended to some work until about 10 a.m. and left the Guest House soon afterwards. Colombage saw him come to the Guest House but did not see him leave. He was however informed by the other employees, Themis and Gallison Silva, who saw Anandagoda leave, that Anandagoda had left the Guest House with Sirisena sometime after 10 a.m. Colombage was on leave on the 15th and saw Anandagoda again only on Monday the 16th when he came to the Guest House.

When Sirisena was first questioned by the Police he stated that Anandagoda came to the Guest House on the 14th and spent the whole day there until he left in the evening about 9 p.m. He added that even on the following day, the 15th, Anandagoda spent the entire day at the Guest House. A little later he changed his story and said that Anandagoda came to the Guest House about 10 a.m. on the 14th, took him to Moratuwa to purchase a pound of butter and then went away alone. He altered his position again when he said that Anandagoda spent the entire Saturday at the Guest House. It was obvious, that in trying to create an alibi for Anandagoda, he was getting himself hopelessly involved in his own falsehoods. Up to the end of March he insisted in maintaining that he himself continued to be at the Guest House the whole of the 14th and 15th and that he never accompanied Anandagoda on any journey outside Moratuwa on either of these two days. It was only on April 9, after a searching interrogation by the Anuradhapura Police, in the course of which they confronted him with the statements of the other employees at the Guest House, that he revealed the truth and admitted that he was in the company of Anandagoda from 8 a.m. on the 14th until the night of the 15th.

Anandagoda's movements on the 14th and 15th depend largely on the statements made by his two accomplices to the Police, and it is they, who give a detailed account of the events of these two days, but on many matters their statements receive corroboration from independent witnesses and also from the admissions of Anandagoda.

After leaving the Guest House with Sirisena, Anandagoda first proceeded to Bambalapitiya to inquire from Rauff for the Triumph sports car and to book a car for the 15th. From Bambalapitiya he returned to Moratuwa and continued in the direction of Kalutara. At the Nagaskade Junction, Kalutara North, he dropped Sirisena, instructed him to go by bus to Kalutara, have some lunch and meet him about 1.30 p.m. near the Buhari Hotel at Maradana. Sirisena went to Kalutara, had his lunch and left by bus for Colombo. He remained opposite the Buhari Hotel from 1.30 p.m. awaiting the arrival of Anandagoda.

After Sirisena alighted at Nagaskade Junction, Anandagoda took the road inland through Diyagama. He had previously instructed Podisingho Perera to meet him close to the Diyagama school about 10 a.m. Podisingho Perera had come there at the appointed time and was hanging about the Diyagama bazaar, reading the newspapers and having some tea at a boutique awaiting the arrival of Anandagoda. Since Anandagoda was getting late, he visited the house of the Village Headman of Diyagama and was seated on the verandah chatting with him. He told the Headman that he was expecting a gentleman who had promised him a job at his Guest House. Close upon midday, a gentleman came driving his car and parked it close to the Diyagama school. Podisingho Perera then got into the car and proceeded towards Galapatha and Kalawellawa. The Headman K. D. H. Guna-wardene remembered that on Saturday, March 14, he had gone for an inquiry to Kalutara and had returned on his bicycle about 10 a.m. and that Podisingho Perera had come to his house after his return. He knew Podisingho Perera as a native of the village; he saw a car, which he later identified as Anandagoda's car halted near the school; and he saw Podisingho Perera chatting with the

driver of the car, who was dressed in slacks and shirt and whom he later identified as Anandagoda.

From Diyagama Anandagoda proceeded about five miles to the petrol shed at Galapatha, where he asked the pumper to pump a gallon of ordinary petrol into his car, as Super Shell petrol, which was the quality he normally used, was not available. The petrol shed keeper, Karawita, recognised Podisingho Perera, whom he had known previously and later identified the car 1 Sri 6265 and the driver as Anandagoda. He was questioned by the Police a week later but was unable to recollect the date on which Anandagoda and Podisingho Perera had come to the shed but remembered the time being about 12 noon.

Anandagoda and Podisingho Perera reached Kalawellawa a little while later. Anandagoda halted the car on the road close to the footpath leading to Alo Singho's house and asked Podisingho Perera to fetch Alo Singho. When Alo Singho came down, he was requested to convey a message to Adeline asking her to get ready to leave Kalawellawa. Anandagoda and the two brothers then proceeded to the Mahagama Circuit Bungalow, where Anandagoda ordered two bottles of beer and signed the Circuit Bungalow keeper's book as 'Mr. A. Jayalal, Colombo'. According to the entries in the book he arrived at the Circuit Bungalow at 12.40 p.m. and left at 1 p.m. The Bungalow keeper, Melis Appuhamy, knew the two brothers and identified Anandagoda as the person who drove the car 1 Sri 6265 and consumed the beer.

At about 1.30 p.m., after being delayed for some time close to Alo Singho's house, Anandagoda, Podisingho Perera and Adeline left Kalawellawa. A request by Adeline that some photographs be taken with the members of Alo Singho's family before she left was turned down by Anandagoda, who was obviously in a hurry and not in the mood for what he considered trivialities or did he refuse Adeline's request lest there be a permanent record of Adeline's stay at Kalawellawa? The next occasion when the residents of Kalawellawa had reason to remember Adeline Vitharne was when photographs of her dead body appeared in the newspapers on the March 16 and 17.



From Kalawellawa, Anandagoda crossed the Kallawellawa ferry and proceeded towards Horana. At Horana about 2.30 p.m. Anandagoda got four gallons of Super Shell petrol pumped into the car by the petrol pumper Pabilis Amerasinghe. Pabilis Amerasinghe identified Anandagoda and Podisingho Perera and also Anandagoda's car. He described the female in the rear seat as being a young lady about 19—20 years, of fair complexion and dressed in a saree and blouse. According to Podisingho Perera's confession, he told Anandagoda at Horana, that he wanted to go home by bus as a child of his was ill. Anandagoda however persuaded him to accompany him and told him that he would be returning home alone after leaving Adeline and therefore wanted some company. Podisingho Perera then agreed.

There is now a conflict in the versions given by Podisingho Perera and Sirisena. According to Podisingho Perera from Horana they came to the Guest House at Moratuwa, where Anandagoda and Adeline went inside, while he remained outside. About ten minutes later they came out of the Guest House with Sirisena and they all got into the car. Podisingho Perera told Anandagoda at this stage that now that he had Sirisena for company there was no need for him to continue the journey any further, but again Anandagoda's stronger will prevailed and Podisingho Perera was persuaded to accompany him. According to Sirisena's version, he was to meet Anandagoda at Maradana after he was dropped off at Kalutara North and he never came back to the Guest House.

Anandagoda came with Podisingho Perera opposite the Buhari Hotel and met Sirisena. On Sirisena inquiring from Anandagoda what happened to the young lady, he was informed that he had left her at the bus halt to be picked up later. Anandagoda then went towards Main Street and purchased a bottle of gin and thereafter proceeded towards Maradana and picked up Adeline from the bus halt. The party left Colombo about 4 p.m. and took the Kandy road.

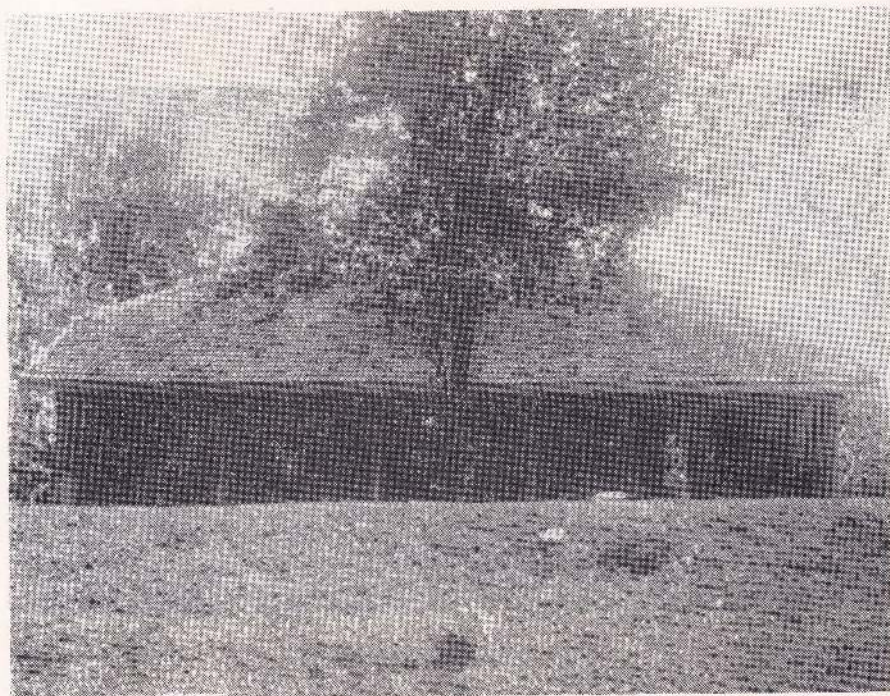
Adeline was apparently under the impression that Anandagoda was taking her back to Palletalawinne and was blissfully ignorant of the fate that lay in wait for her. At Ambepussa,

Anandagoda took the road leading to Kurunegala and when Adeline inquired from him why he was not taking the direct route to Kandy, she was informed that he had some business at Wariyapola and that they could proceed to Kandy from Kurunegala through Galagedera and since she was going home it did not matter at what time she reached her destination. Anandagoda was never at a loss for an explanation.

The car proceeded through Alawwa to Kurunegala, where Podisingho Perera was sent to purchase a packet of Ardath cigarettes. Podisingho Perera bought the cigarettes and had some refreshment himself at a boutique. By this time darkness had set in and Anandagoda drove the car along the Kurunegala-Puttalam road. He passed Wariyapola, but in the darkness, Adeline had lost her bearings. The next halt was at Nikaweratiya, where Podisingho Perera was sent to purchase a carton of biscuits and a comb of sour plantains from Moosa's boutique and was directed by Anandagoda not to delay as he had done at Kurunegala.

Finally the car reached Puttalam about 9.30 or 10 p.m. and was halted in front of the Taj Mahal Hotel and all the occupants of the car alighted. Anandagoda, Sirisena and Adeline entered an open cubicle downstairs, while Podisingho Perera remained outside in the main hall within sight of the cubicle. Podisingho Perera ordered a half plate of rice and curry which cost -/65 cents and which was added on to Anandagoda's bill. Anandagoda ordered rice and curry and fried eggs for the others. Before taking their meal, Anandagoda took out a bottle from his trouser pocket, obviously the gin purchased in Colombo, and poured drinks for Sirisena and himself.

According to the waiter Royal, who served Anandagoda and his companions, the lady whom he was not able to identify even later, looked tired and was resting her forehead on her hand. She did not partake of any food and appeared to be suffering from a headache. Adeline had a tiring day travelling in the car for nearly nine hours and it was not surprising, in her state of pregnancy, that she appeared tired. She called for a glass of water, which was handed to her by Anandagoda and into the glass,



MAHAGAMA CIRCUIT BUNGALOW



CUBICLE, TAJ MAHAL HOTEL, PUTTALAM



THE WILPATTU TURN OFF



TIMBIRIWEWA - MONUMENT TO ADELINE VITHARNE
IS ON THE RIGHT

without her knowledge, was introduced the contents of a paper packet containing some whitish powder. According to Anandagoda, it was Sirisena who introduced the powder whereas Podisingho Perera states, that from where he was seated, he noticed Anandagoda lower the tumbler below the level of the table and introducing the powder unseen by Adeline before giving it to her saying 'Here is the water. Drink it' Adeline then drank the entire contents. They remained at the Hotel for one to one and a half hours and left, close upon 11.30 p.m. Reyala was able to identify both Anandagoda and Podisingho Perera later, while the cashier Mapilatamby identified only Podisingho Perera.

Leaving Puttalam, Anandagoda took the road to Anuradhapura. Sirisena and Adeline got into the rear seat while Podisingho Perera sat in front with Anandagoda.

The Puttalam-Anuradhapura road through Anuradhapura is one of the main trunk roads to Jaffna. It is sometimes described as the Pilgrims' Route. Pilgrims proceeding to the sacred city of Anuradhapura, particularly during the poison season or Christian pilgrims frequenting the jungle shrine of Our Lady at Madhu, commonly use this route. It was along this Pilgrims' Route that Adeline Vitharne was taken to her death that night.

In 1959 this road was perhaps the most desolate and lonely road on the west coast of Sri Lanka. Today many stretches of this jungle road have been cleared; colonies for the purpose of food production have been established; and little hamlets have sprung up on either side of the road, but in 1959 it was a road that ran through stretches of thick jungle. The jungle was so close that the sunlight hardly penetrated through the thick foliage of the tall trees flanking either side of the road. From Puttalam to Tabbowa, a distance of about eight miles, there were and still are several coconut estates, but beyond the 8th mile post until one reaches the Kala Oya bridge at the 25th mile post, and even beyond, up to the turn off to the Wilpattu National Park, there were hardly any signs of human habitation. The only signs of life along this road were the buses, cars and other forms of vehicular traffic that occasionally passed along this road. Denizens of the

forest such as leopard, bear, deer and other kinds of wild life, including multi coloured birds of different varieties and the jungle and spur fowl abound in the thick jungle bordering the road. From the Kala Oya bridge, which is the boundary between the Puttalam and Anuradhapura districts, a little beyond the 27½ mile post, was situated the small hamlet of Timbiriwewa, which consisted at the time of a few huts occupied by some enterprising traders from Negombo, who catered to the needs of the visitors who frequented the Wilpattu National Park. Beyond Timbiriwewa, about four miles in the direction of Anuradhapura was located the flourishing village of Nochchiyagama, which was the centre of an extensive paddy growing area. In 1959 there was only a Headman stationed at Nochchiyagama, but it is now served by a police station, which was attacked and badly damaged during the insurrection of April 1971.

In spite of the tranquility and the haunting quietness, which one would normally experience while driving along this jungle stretch, the Puttalam-Anuradhapura road had earned an evil reputation in 1959. Some years previously it was along this same stretch of road, in broad daylight, that the unfortunate John Singho was taken into the jungle close to the 13th mile post, prior to the Turf Club Robbery being committed, and cruelly done to death, and when Anandagoda set out from Puttalam with Adeline Vitharne on the night of March 14, his soul was as dark as the darkness that had descended on that road because there was murder in his heart.

When Adeline got into the rear seat of the car she was leaning against the side perspiring freely. Podisingho Perera drew the attention of Anandagoda to this fact, but was asked to keep his mouth shut. The drug that had been administered to her at Puttalam was beginning to take effect.

After the car had proceeded about four or five miles, Anandagoda began to drive faster and we have only Sirisena's account of what happened at the rear of the car. According to Sirisena it was Podisingho Perera who sat in the rear of the car, while he sat in front with Anandagoda. His account of what happened before they reached Timbiriwewa may be stated in his own words:—

"Adeline was sweating and she also complained of pain in the chest. Few minutes later she became restless and started struggling inside the car. Podisingho could not control her. Anandagoda asked me to get back to the rear seat and assist Podisingho to control her. I went to the rear seat and sat on my right. At that time the girl's head was on my lap. I held her by her neck and even brought pressure on her throat but she could not be controlled. Podisingho held her by her legs. At this stage Anandagoda gave me a piece of iron from somewhere and asked me to hit her on her head and I did so with some force. Adeline became silent but she was yet breathing. I cannot say where the blow alighted but I dealt the blow on the head. I cannot remember having seen blood coming out of her head injury. The piece of iron with which I assaulted Adeline was about 1 foot in length and $\frac{1}{2}$ inch in diameter. As we reached the spot where the girl's dead body was found Anandagoda stopped the car facing Anuradhapura."

Sirisena's account is supported by two items of circumstantial evidence. The Judicial Medical Officer, Dr. W. D. L. Fernando found four lacerated wounds and contusions on the right side of the head which could have been caused with a heavy club or iron rod and rendered the victim unconscious.

Secondly in the course of the Police investigations, Adeline's umbrella was found close to the 9th mile post on the Puttalam road. In her semi-conscious state, Adeline must have apparently realised for the first time, the real reason why Anandagoda had brought her in his car to Puttalam, and with the ebbing strength in her young body she made one last desperate attempt to fight for her life, probably using her umbrella as a most inadequate weapon. It was however a futile task, for she was no match for two hefty adult men. She was overpowered and with the effects of the drug telling on her she was driven in her semi-conscious state to her death. It was perhaps in the course of this last death struggle, that her umbrella got flung out of the car, to provide an useful item of identification to prove that Adeline Vitharne was brought to her death along the Puttalam road.

When Anandagoda approached Timbiriwewa he noticed a fire in the distance and he asked Podisingho Perera to alight from the car and investigate. Podisingho Perera thought that it was the light from a house, but it turned out to be a heap of logs and dried twigs that was lit by the side of the road. The Police later found the dying embers of a fire at the location.

For the details of the murder one has to depend on the somewhat conflicting accounts given by Sirisena and Podisingho Perera but in the main the account of the killing is consistent and supported by certain items of circumstantial evidence.

When the car was halted close to Timbiriwewa according to Sirisena, he and Podisingho Perera lifted Adeline from the rear seat, but according to Podisingho Perera this was done by Anandagoda and Sirisena. Both Podisingho Perera and Sirisena are however agreed that the body was placed underneath the car, close to the rear wheel with the torso and legs extending to the crown of the road and the head towards the edge of the road. The neck was placed against the off side rear wheel. Anandagoda then got into the driving seat and drove the car over the neck and body. He then reversed the car going over it a second time. Podisingho Perera, who was standing on the road at the time and who would have been a witness to the gruesome spectacle, was then asked to get into the front seat. Thereafter the car was pulled forward, again over the girl for the third time. The car then proceeded some distance and turned towards Puttalam. After travelling some distance in the direction of Puttalam, it turned again towards Anuradhapura and went past the body, but Podisingho Perera and Sirisena were in such a state of fear and excitement that they were unable to state whether the car ran over the body again.

Anandagoda drove the car in the direction of Anuradhapura and on the way Sirisena threw Adeline's plastic bag and the piece of iron which was used to strike the girl into the jungle, but the Police, in spite of a diligent search were unable to recover these articles. Somewhere in the Anuradhapura jungles the remnants of Adeline's plastic bag must still be there as a grim reminder to what happened to Adeline Vitharne on the night of March 14, 1959.

Anandagoda proceeded to Anuradhapura and bought some refreshment from a night boutique but his accomplices were unable to partake of any food after what they had witnessed. He returned immediately afterwards through Kurunegala and Sirisena remembers passing Bataliya, where the Cadju girls ply their trade. He drove his car furiously and fast and returned to Colombo in the

The murder had now been committed and Anandagoda had achieved his purpose. He had now only fervently to pray and hope that his crime would not be discovered, but like all criminals who live in a world of their own and think that they are cleverer than the rest of mankind, Anandagoda failed to reckon with keen Police investigations and learnt too late to ponder on the oft quoted maxim that Crime never pays.

who took her to her death in the darkness of the night along a lonely jungle road.

CHAPTER VII

THE CRIMINAL VISITS THE SCENE OF HIS CRIME

When Anandagoda returned to Colombo in the early hours of the morning of March 15, he first went to the Park View Guest House and dropped Sirisena. He then gave Rs. 5/- to Podisingho Perera and asked him to go home to Diyagama by bus, as he was too tired, and requested him to meet him on April 1, regarding the job at the Guest House, an assignment which Podisingho Perera could not keep because by that time Anandagoda was behind bars.

His fiancée was awakened in the early hours of the morning by the creak of the front door leading to Anandagoda's room and knew that Anandagoda had returned home. When she got out of the room about 6.15 a.m. she saw Anandagoda seated at the driving seat of his car ready to leave. She hurriedly prepared a cup of tea for him, took it to the car and opened the gate for him. When the car was leaving the premises, she noticed an unusual noise coming from underneath the car, which Anandagoda explained as being a slight miss. She had not noticed this noise when she travelled in the car on the evening of Friday the 13th.

Anandagoda went to the Guest House, remained there some time and left at 8 a.m. with Sirisena. Sirisena had been previously informed that Anandagoda wanted him to accompany him to Anuradhapura on the 15th. Sirisena alighted on the pavement opposite Maradana station and was asked to wait there until Anandagoda returned later.

The condition of Anandagoda's car was troubling him. He did not know what was causing the unusual noise in the under carriage; that noise may have been the result of the car going over the body of Adeline Vitharne several times and who knows that there may have been some tell-tale signs of his crime, if one examined the undercarriage; nothing could be done on a Sunday as

all the garages were closed and even if some small garage was opened his presence was essential when the undercarriage was examined; he did not want to leave the car at Panadura lest some busybody examine the car closely and discover some traces of the crime. Anandagoda therefore decided to conceal his car in a safe place the whole of the Sunday, intending to have it serviced on Monday.

Anandagoda was well known to one Nithiyanathan, a former teacher of Nanodaya College, who was presently helping his father in the motor business at Jayadevi Garage, Maradana. Anandagoda had several dealings with Nithiyanathan in the buying and selling of second hand cars and was Anandagoda's guarantor when he purchased the Fiat 1100. Anandagoda used to get the minor repairs to his car attended to at this garage, and it was at this garage that the sunshade was fitted. About 9 a. m. he brought his car to Jayadevi garage, which was closed for the Sunday and spoke to the watcher Marthelis and told him that his car had a slight miss and wanted the car kept at the garage. Marthelis, who was well known to Anandagoda, readily agreed and the Fiat 1100 was parked behind the closed doors of the Jayadevi garage the whole of the 15th. Marthelis mentioned this matter to his employer Nithiyanathan the following morning.

Anandagoda next visited the office of Avis-rent-a-car Service and inquired from Ratnayake whether his car was ready. He then signed the contract to take out the red Standard Vanguard 1 Sri 2103 and paid a deposit of Rs. 50/- by Bank of Ceylon cheque. Rauff was present at the time and agreed to accept the deposit of Rs. 50/- instead of the usual Rs. 100/-. The Vanguard was due to return the following morning. Anandagoda then took the Vanguard and proceeded direct to Maradana where he picked up Sirisena and commenced on his journey to Anuradhapura.

On this occasion he took the road through Negombo and Chilaw. At the Shell Petrol Station at Victoria Bridge, Rs. 20/- worth of petrol was pumped into a red Standard Vanguard car bearing No. 1 Sri 2103 by the petrol pumper Jayasena. Jayasena was however unable to identify the occupants of the car, except to

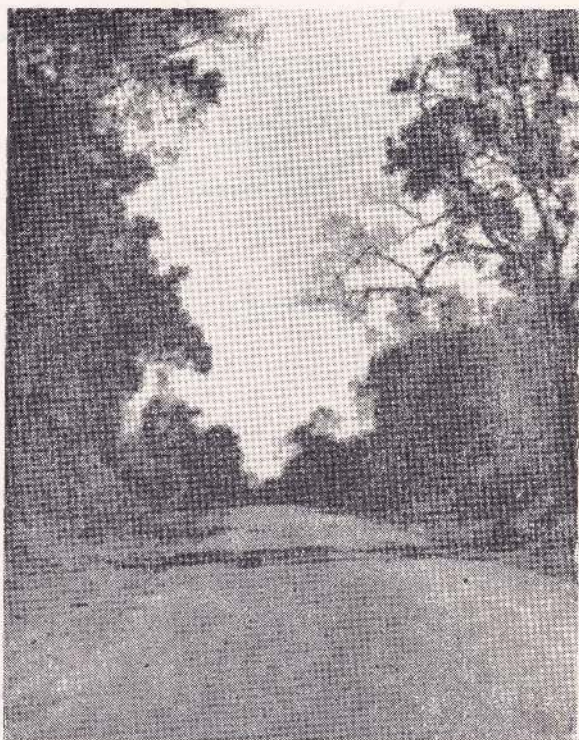
state that the driver was a dark complexioned young man. When Anandagoda reached Madampe, he alighted from the car and dashed a coconut at the Madampe shrine, as an offering to the Gods hoping, no doubt, for divine assistance to protect him from being discovered as the perpetrator of a foul crime.

It was about 3 p.m. when Anandagoda passed Timbiriwewa. He slowed down and saw Police officers at the scene; he saw the victim of his wicked crime covered with a sarong and the entire area cordoned off by the Police and then he passed the scene of his crime. Police Sergeant Perera of the Anuradhapura Police was on duty at the scene from 11 a.m. to 4 p.m. and remembers a red Standard Vanguard coming from the direction of Puttalam about 3 p.m. and slowing down at the scene. He was later shown the car 1 Sri 2103 and he identified the car, as the Vanguard that passed the scene on March 15. He was unable to identify any of the occupants of the car.

When Anandagoda passed the scene he remarked to Sirisena that everything seemed to be alright. Little did he realise, that within a short space of time, the long arm of the law would slowly but surely reach him and that everything was going to be far from being alright.

What madness prompted Anandagoda to hire a car and travel such a long distance on what seemed to be a purposeless trip? Was it to satisfy his own ego or was this another apt illustration of the oft quoted saying that the criminal always craves with morbid curiosity to visit the scene of his crime?

When Anandagoda left Rauff's office on the morning of the 15th to remove the Standard Vanguard, the contract form and the record sheet noted the time of departure as 10-40 a.m. He returned the car at 7.10 p.m. having covered 277 miles, which would be the distance from Bambalapitiya to Anuradhapura and back. It would appear therefore, that under eight hours, Anandagoda had done a record run without stopping. The only halt was at Madampe, where he invoked the blessings of the Deity for his wicked crime. If Anandagoda drove fast and furiously in his own



THE PUTTALAM - ANURADHAPURA ROAD

LEGEND

- A - BODY
- B, C, D, E - PATCHES OF BLOOD
- F - DIRECTION PILLAR
- G - 27 1/2 MILE POST
- H - BOUTIQUE OF NICHOLAS & JOSEPH
- I - RICE MILL
- M - SAREE

DISTANCES

- A-B : 17 FT. 6 IN.
- A-C : 8 FT. 2 IN.
- A-D : 6 FT. 9 IN.
- A-E : 4 FT. 11 IN.
- A-F : 79 FT.
- A-G : 96 FT.
- A-M : 420 YARDS
- A-H : 50 FT.
- A-I : 120 FT.
- WIDTH OF ROAD : 17 FT.



TO WILPITTI

[F]

• G

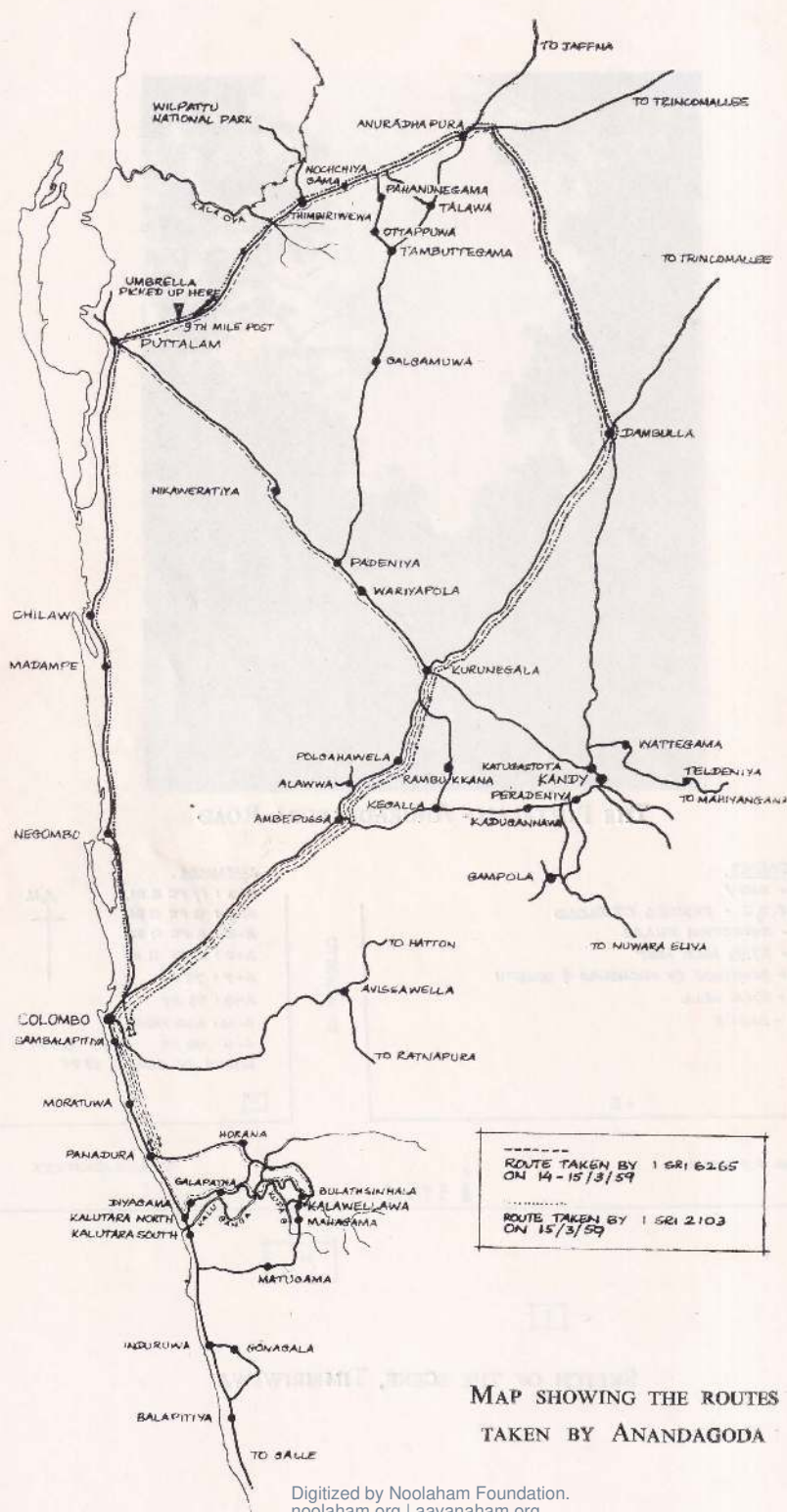
FROM PUTTALAM

TO ANURADHAPURA

A
E D C B



SKETCH OF THE SCENE, TIMBIRIWEWA



MAP SHOWING THE ROUTES
TAKEN BY ANANDAGODA

car on the return journey from Timbiriwewa, he must have broken all speed records in the Standard Vanguard on the 15th. Even Rauff remarked on the 16th, when Anandagoda came to the office to get a small refund, that he appeared to have broken a record in travelling 277 miles in half a day.

After the Vanguard was returned to Avis-rent-a-car Service, Anandagoda went back to Maradana, spoke to Marthelis and removed his own car from Jayadevi garage and went back to Moratuwa where he dropped Sirisena. He then proceeded to Panadura, which he reached about 9 p.m. in time for dinner. His fiancée noticed the unusual noise in the car. Anandagoda had been on the road for well nigh 36 hours from 10 a.m. on March 14, till 9 p.m. on 15th March. It was a hectic week-end for him and it is not surprising that he was unusually quiet when he sat for dinner. He hardly touched any food and complained of a stomach-ache and retired to bed early.

Through sheer exhaustion, he should have had a good night's rest, but whether, in spite of his tiredness, Adeline's avenging angel permitted him to spend an undisturbed night is extremely doubtful. The ghost of the girl whom he had seduced; who bore him his child, and whom he made pregnant a second time, and with whom he had satisfied his lust must have given him many a sleepless night.

On the morning of March 16, Anandagoda dropped his fiancée at the Panadura Railway station and told her that he was getting his car serviced and promised to meet her in Colombo thereafter. His fiancée had arranged to take half a day's leave and do some shopping with her mother and younger sister at the Co-operative Wholesale Establishment. Anandagoda attended to his usual work at Nanodaya College that day. After the school session was over he came in his car, first to Bambalapitiya, where he obtained a refund of Rs. 2/50 on the previous day's trip from Rauff, and then took his car to Colonial Motors for a service about 3 p.m. He was fortunate in being able to get his car serviced without a booking.

When the Police first questioned Anandagoda whether he had got his car serviced on the 16th, he denied and stated that the last service to his car was two weeks previously. When, however, he was confronted with the documentary evidence in regard to the service and the payment made by him to the garage, he admitted that the car was serviced on the 16th.

The service personnel at Colonial Motors were closely questioned by the Police in regard to the particulars of the service effected. Anandagoda was particular about the servicing of his car. He always got the undercarriage sprayed with penetrating oil instead of Diesel oil and the sump was always flushed out with petrol and not Diesel oil. All these matters were attended to by the Service personnel carefully and he tipped them extra generously on this occasion.

There is one matter of significance to which Keegal, the Foreman of the Servicing section has drawn attention. In the Fiat 1100 the rear springs are connected to the differential by means of U bolts and at the bottom of the U bolts are the two shock absorber brackets projecting downwards. The clearance from the bottom of the bracket to the base of the tyre was only six inches. Keegal was shown the photograph of the dead body of the deceased and he expressed the view that the gaping injury on the left buttock could have been caused as a result of the shock absorber tearing through the flesh. This view was however not confirmed by Dr. Fernando.

The Police questioned the servicing team closely whether they noticed any blood or pieces of flesh adhering to the undercarriage but nothing incriminating of this nature was noticed.

Although the entire undercarriage was serviced and the troublesome noise thereafter disappeared, there is one part of the undercarriage which is normally never serviced, and that is the housing enclosing the spare wheel at the base of the luggage boot. When the Technical Branch of the Criminal Investigation Department examined the spare wheel, they found a valuable item of evidence to which reference will be made later, when the question

of the identification of the body is discussed.

After the service was completed at 4 p.m. Anandagoda removed the car from the garage. He then went to the Co-operative Wholesale Establishment picked up his fiancée and the members of her family and returned to Panadura.

The booking of the Standard Vanguard on March 14, for the 15th was an item of tell-tale evidence against Anandagoda and he made every attempt to conceal this fact from the police. When Inspector Tyrrell Goonetilake found Anandagoda's cheque book at the Guest House, he discovered that the counter-foil of the cheque for Rs. 50/- paid to Rauff was torn in such a manner, that the number and the amount were not noticeable. He made inquiries from the Bank of Ceylon and found that it was a payment of Rs. 50/- to Avis-rent-a-car Service on the 15th. At first Anandagoda denied that he rented any car from Rauff on the 15th or paid him any money. Later, when confronted with the cheque, he stated that he had given the money to a car broker called Sirisena, to rent a car from Avis-rent-a-car Service, to enable him to travel by car to Matale to collect some commission. When the police found that this story too was false, he was compelled to admit that the car was rented for his own purpose.

Anandagoda's unexplained conduct as to why he rented the car and the denials of this fact, proved that he had knowledge that the body of the girl in whose company he travelled on the 14th was lying dead at Timbiriwewa.

CHAPTER VIII

THE DISCOVERY OF THE BODY AND ITS IDENTIFICATION

When Emaliyanu came across the body on the night of March 14, he did not step down from his lorry to examine it, but went direct to the Village Headman of Nöchchiyagama to report his finding. The information was reported to the Headman at 1 a.m. on March 15, and the Headman came back to the scene in Emaliyanu's lorry immediately. When he got to the scene he found that two brothers, Joseph and Nicholas Fernando, who were occupying a boutique at Timbiriwewa, had come up to the place where the body was lying. They had arrived on the scene, having been awakened by the barking of dogs. The Headman got two lamps lit and placed close to the body and requested Joseph and Nicholas to guard it until the arrival of the Police. About 420 yards away from the body in the direction of Puttalam, the Headman found the saree, which was marked P 1 at the trial. It had possibly got entangled in the undercarriage of the vehicle and carried a distance of about a $\frac{1}{4}$ mile. The Headman then went back to his office, telephoned the Anuradhapura Police at 3.20 a.m. and came back to the scene to await the arrival of the Police. Inspector Dharmaratne, Head Quarters Inspector, Anuradhapura, Inspector Thahir and a Police party set out by jeep and arrived at Timbiriwewa at 4.30 a.m.

Inspector Dharmaratne noticed four separate patches of blood on the road 4 feet 11 inches, 6 feet 8 inches, 8 feet 2 inches and the furthest $17\frac{1}{2}$ feet away from the body, in the direction of Anuradhapura and a blood stained tyre mark extending for 36 feet in the direction of Puttalam. On the second patch of blood he found a tuft of hair. The patches of blood indicated that the body had been shifted from place to place in the course of the car running over it several times.

The body was clad in a pink coloured blouse, a loose brassiere hanging from the straps and exposing the breasts and an under-

skirt of pale pink imitation satin. The body was exposed up to the waist and the Headman covered it with a sarong. On the right side of the head was a gaping wound and there was another visible injury on the left forearm with flesh and bones exposed. The outer skin of the body at several places, was stained with oil and grease. There were several injuries on the neck, abdomen, and trunk and a large gaping wound on the left buttock. The feet were very clean, the hair was in two plaits and the deceased had a pair of gold ear studs on the ear lobes. There was an amulet attached to a gold chain round the neck. At the spot where the saree was picked up, Inspector Dharmaratne found two tyre track marks, the tyre print was clearly visible on a soft ant hill close by and the other mark had churned into the earth, indicating that the wheel of the vehicle had revolved several times before the vehicle was moved from the spot. Inspector Dharmaratne covered the prints, but unfortunately, the following day, they had been obliterated by white ants. This is possibly the spot where the car was reversed after it had gone back in the direction of Puttalam. The Headman found an open safety pin close to the body which he picked up and gave the Inspector. The pin probably kept the saree in place and got detached when the saree became entangled in the undercarriage of the car.

At 11.30 a.m. on the 15th, the Magistrate of Anuradhapura, Mr. V. Kandasamy, arrived for the Magisterial inquiry and made his observations. Police Sergeant Alwis of the Police Photographic Bureau arrived at 5.45 p.m. and took photographs of the dead body. It was these photographs that were subsequently sent by the Police to the Press to help in the identification. The Judicial Medical Officer, Colombo, Dr. W. D. L. Fernando arrived at the scene on the 16th at 10.30 a.m. and held the post-mortem examination. By that time it was nearly 36 hours after death. The face was bloated and greenish blue in colour, the lips were swollen and the eye balls were bulging as a result of decomposition. The cuticle was peeling off and the hair could be pulled off without much force. Flies had begun to deposit their ova on the body. Putrefaction was fast setting in and decomposition was rapidly advancing, mainly due to the fact that the body was exposed to the elements under the hot tropical sun. The attractive Adeline

Vitharne must have made a pretty ghastly sight by this time.

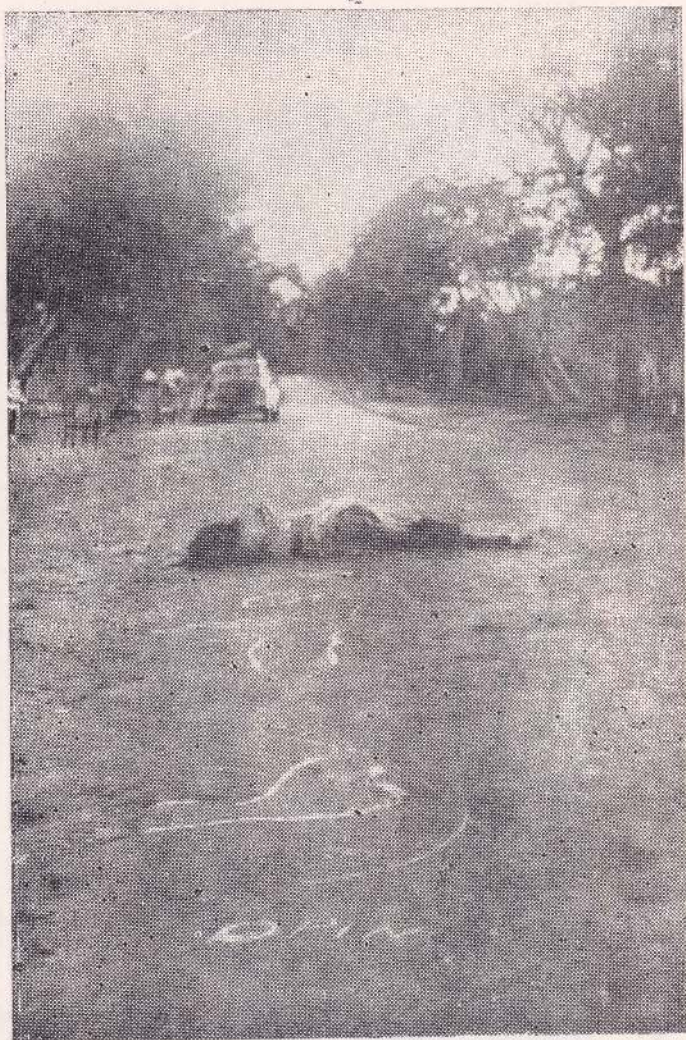
Certain organs of the body — the head, the foetus, the skull and the stomach contents—were sent to Colombo for examination and the remains buried by the side of the road at Timbiriwewa.

The identity of the deceased was unknown and on March 16 and 17, the daily newspapers—the Daily News, Observer, Dinamina and Lankadipa carried a detailed description of the body and also a description of the clothes and jewellery. Thereafter photographs of the body were published prominently in the daily press, in the hope that the public would be able to assist the Police, in tracing the identity of the unfortunate woman, who had been so cruelly done to death.

Agnes Vitharne read the description of the body that appeared in the Dinamina of March 16, at Nawalapitiya, and after reading it carefully, thought that the particulars appeared to fit that of her sister Adeline, who she knew had left Palletalawinne on March 2. The items which struck Agnes forcibly were, the fact that the body was said to be that of a young woman about five or six months pregnant and the description of the clothes and the jewellery found on the body.

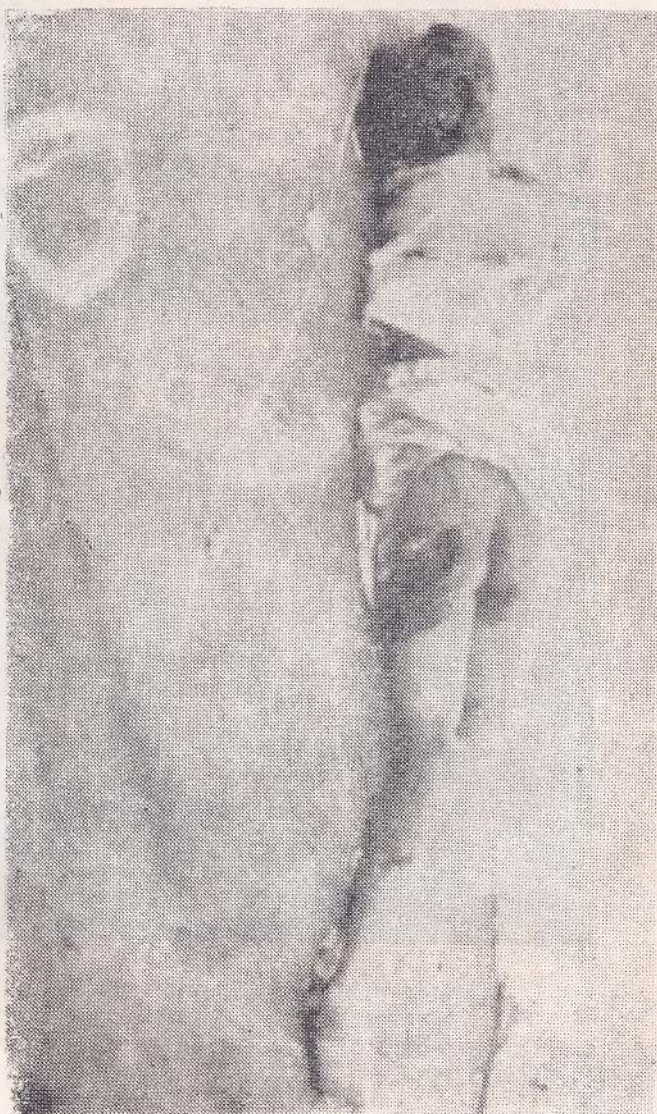
She mentioned her suspicions to the Mother Superior of the Convent, Mother Josephine, and obtained permission to go to Palletalawinne. On reaching home at 5.30 p.m. the same evening Punchimenike informed her that she had received a telegram from her husband's brother, Martin that Abraham had been entered that day to the Mental Hospital at Angoda. Since it was already late, Agnes and Punchimenike decided to leave for Angoda and Kalutara the following morning.

About 6 a.m. on the 17th, Punchimenike, Agnes and the infant left Katugastota for Colombo. They first went to the Mental Hospital where they learnt that Abraham had not yet been admitted. From Angoda they left for Kalutara and reached Nanodaya College about 2.30 p.m. Outside the school they met Baby Nona, who told them that the school had closed for the day and



ADELINE VITHARNE'S BODY ON THE ROAD.
THE WHITE CHALK MARKS DEPICTS THE LOCATION
OF THE POOLS OF BLOOD AND THE POSITION OF A
SAFETY PIN.

By Courtesy - Associated Newspapers of Ceylon Ltd.



CLOSE UP OF THE BODY. NOTE THE LACERATED WOUND ON THE BUTTOCK WITH SURROUNDING GRAZED ABRASIONS CAUSED BY THE GRINDING ACTION OF THE WHEEL

By Courtesy - CEYLON MEDICAL JOURNAL

that the staff had left. Agnes then told Baby Nona that they had come to meet Anandagoda and make inquiries for Adeline, who had left Palletalawinne on March 2. Baby Nona then gave them the information that on March 2, a young woman dressed in a pink saree was near the school crying; that she had confronted her; that the young woman then told her that she had come in search of Anandagoda; that the young woman had then sent a message through a school girl; that Anandagoda had come in his car a little while later, picked up the young woman and proceeded in the direction of the Galle road; and that Anandagoda had come back a little later without the woman. Agnes then informed Baby Nona that the young woman must have been her sister, Adeline and that the child was his child.

After Agnes had informed Baby Nona about her suspicions regarding the finding of the dead body on the Puttalam-Anuradhapura road, she left with Punchimenike to the Kalutara South Police station and Punchimenike informed the Officer-in-charge, Mr. Egodapitiya of the disappearance of her daughter. Egodapitiya asked Agnes and her mother to come the following morning.

Punchimenike and Agnes returned to Baby Nona's house and Agnes asked the kindly Baby Nona to give shelter to Punchimenike and the child for the night, to which request Baby Nona readily agreed and Agnes left the same evening for Gonagala. When she arrived at Gonagala, an aunt informed her that Abraham had been removed to Angoda at 2.30 p.m. that afternoon. On making inquiries for Adeline, Agnes was informed that Adeline had not come to Gonagala on March 2, or any day thereafter. Agnes spent the night with her aunt, and the following morning returned to Kalutara with her uncle David Vitharne.

When Agnes returned to Baby Nona's house she called for the Dinamina paper and for the first time saw the photograph of the dead body. Punchimenike and Agnes had no hesitation in identifying it as that of Adeline and started weeping. They then left for the Police station. In the meantime Egodapitiya had got down the photographs taken by the Police and showed them the

same photograph that appeared in the press and they again identified it as that of the missing Adeline.

Egodapitiya then promptly sent Punchimenike and Agnes in a Police jeep to Colombo and at 11 a.m. their statements were recorded in detail by two different Police officers. In Punchimenike's statement, she gave a detailed description of the clothes and jewellery worn by Adeline when she left Palletalawinne on March 2. When the recording of the statements was concluded it was after 6 p.m.

On March 19, Agnes and Punchimenike were taken by A. S. P. Rodrigo to Anuradhapura and at 8.40 a.m. that morning the clothes and jewellery found on the body were shown to them separately and they both identified them as those belonging to Adeline. They both started weeping when they saw the articles and had no hesitation in identifying them and mentioning the circumstances in which they came into Adeline's possession.

At 4 p.m. that same evening they were taken to Timbiriwewa, the body was exhumed and Punchimenike and Agnes identified certain scars on the legs as being scars which were similar to those found on Adeline.

One of the difficult problems that faced the Police at this stage was the identification of the body. Agnes and Punchimenike identified it as that of Adeline, from the photographs of the body that had been taken by Sergeant Alwis and the scars found on the legs after exhumation. The photographs were, however, taken about 18 hours after death and by that time, decomposition of the body and putrefactive changes, which were accelerated by the body being exposed to the elements, and the presence of oil and dust on the body, would naturally make identification difficult. Even close relatives can make honest mistakes under such circumstances about the identification. Indeed, when Alwis took photographs of the dead body, he had to have the face lightly washed to obtain a clear photograph. In the circumstances it was always possible for clever Counsel to cross-examine the identifying witnesses in such a manner as to cast reasonable doubts

about their identification. It was therefore essential, that the prosecution should be able to rely on other evidence to buttress the identification of the body from the photographs. The evidence of identification from the scars was too slender a means, whereby identification could be satisfactorily established and would at most be an added circumstance combined with other circumstances of a more substantial nature. That evidence was available from the identification of the clothes, jewellery and umbrella.

When the age gap between two sisters is small as in the case of Agnes and Adeline, it is not unusual for two sisters to purchase articles of clothing that are similar. A rose coloured, cherry voile saree was purchased by Agnes for her sister at Pathirana's shop, Surasevana Stores, Katugastota on October 4, 1958. On October 31, 1958, Agnes bought a similar saree for herself from the same shop, having the same colour and the same pattern. Pathirana produced his bill books and receipts to prove the two sales. Having purchased these two sarees, the two sisters had worn them for some time, but the saree which Agnes had purchased later had mistakenly been taken by Adeline, while the earlier purchase had been removed by Agnes to Nawalapitiya. The saree P 1 found at Timbiriwewa was similar to Agnes' saree P 6 consisting of the same material and having the same colour and pattern.

The blouse found on the deceased, which was marked P 2 was made from pink or rose coloured taffeta material. When Agnes bought the saree for her sister, she also purchased some matching taffeta material for a blouse and subsequently bought the same material for a matching blouse for herself. Her blouse P 7 was produced in Court and found to be of the same material as the blouse found on the deceased.

Agnes also identified the imitation silk satin underskirt found on the dead body as similar to material which Adeline had bought for herself to make an underskirt. The waist string P 4 found on the body had been torn off some material, and, material similar to that of the waist string was found in Punchimenike's house at Palletalawinne.

On the ear lobes were found two ear studs P 8 and round the neck on a chain the amulet P 19 inside which was a smaller amulet P 19 A. These articles too have been identified by Punchimenike and Agnes.

A pair of ear studs, of a floral pattern set with a white stone in the centre, had been ordered for his younger daughter by Abraham, when the family were residing at Gonagala. The jeweller, Manis de Silva, was shown the ear studs by the Police and he was positive that they had been made by him. As a manufacturing jeweller, he was in a position to state with confidence from the workmanship that the ear studs were his handiwork.

A chain and amulet had been purchased for Adeline by her father. Punchimenike remembered that in 1954 she got a charm cast by the Banagala priest on a copper plate and inserted inside the amulet. Adeline had removed the copper plate and inserted a smaller amulet containing some other charm in its place. The amulet found on the dead body contained a smaller one inside it, confirming Punchimenike's evidence.

Among the articles which Adeline had removed with her on March 2, was a ladies' umbrella, which was an article used by the other members of the family as well. It was a common Stag brand umbrella, which had been purchased by Abraham for Rs. 10.50. By constant usage for over two years some damage had been caused and certain repairs effected to this umbrella. When Punchimenike was questioned on March 18, she described the umbrella as a ladies' umbrella with a green coloured cylindrical shaped handle made of plastic.

On March 27, she was asked for further details of this umbrella by Police Sergeant Wickremaarachi of the Wattagama Police and she gave the following description :—

"The handle of the umbrella was a green coloured round shaped one. The green portion was in three parts. The top two parts were missing. There is a small round portion yet remaining on the top of the handle

to indicate that a portion of the handle is missing. The missing portion is not replaced with anything. The missing two top portions were, one was a silver gilded bangle and above the same was a round shaped green coloured portion which was bigger than the remaining portion of the handle of the umbrella. The cloth of the umbrella was black in colour. I have no recollection of the make of the umbrella. Though the umbrella was about two and a half years old it appears to be very old. The cloth of the same was not stitched or torn at any place. The spokes were not broken but the cloth of the umbrella may have been stitched to the spokes. The lower wooden portion of the umbrella was missing hence a second hand, an old one was refixed to the same. It was light black in colour and the paint of the same is wasted. I have no recollection as to who fitted the bottom portion of the umbrella. This umbrella was in this house until 2nd March 1959."

Agnes' description of the umbrella was to the following effect:—

"It was a black coloured one. The picture of the deer with horns was stamped inside the umbrella when it was bought. I believe that this mark is now faded. It was a half size ladies umbrella about two feet in length with a wooden portion of the same. The handle of the same is green in colour, rounded in shape. The handle alone was in three portions. The two top portions of the handle were missing. The missing portion, one was a silver plated bangle and above the same was a rounded portion bigger than the remaining portion of the handle. I can remember there was a hole in the remaining portion of the handle to put a string for the purposes of hanging. The cloth of the same was not torn and the spokes of the same were in good order. The lower or bottom portion of the umbrella was missing but another old piece of round shape was fixed. Though this umbrella was bought for me it was used by the other members of the family hence it was left at home. On 2nd March during my absence the umbrella had been removed by my sister, Adeline."

On the night of the March 14—15, a Muslim Government contractor called Rahimtulla was laying some concrete on the bund of Puliyanikulam tank. This tank is situated three miles off the Puttalam-Anuradhapura road at the 17th mile post. The laying of the concrete commenced at 3 p.m. on the 14th and continued till after midnight. About 12.30 a.m. on the 15th, Rahimtulla was returning to Puttalam in his van after completing the job, when he noticed a black object on the road close to the 9th mile post. He stopped his van and found it to be a black ladies' umbrella. When he picked it up he found that it was broken and could not be opened. He then put it into his van, brought it to Puttalam and kept it at home. On Sunday the 15th, Rahimtulla learnt of the discovery of the dead body on the Puttalam road

and several days later he became aware that the Police were looking for a black ladies' umbrella. He then went to the Puttalam Police station on March 23, and handed the umbrella to Inspector Nathan and informed him of the circumstances in which he found it and later pointed out to Inspector Nathan the spot where the umbrella was found.

The finding of the umbrella was conveyed by the Puttalam Police to the Criminal Investigation Department and the Department officers requested the Bulathsinhala Police to record the statements of the inmates of Alo Singho's house and inquire from them whether they were able to give a description of the umbrella, which Adeline brought to their house. Two of the inmates of Alo Singho's house, Karunawathie and Somawathie were able to assist the Police. Each of them described the umbrella in similar terms. It was a black ladies' umbrella with a celluloid handle, green in colour and in some places the green had faded. There was no hanging cord, but there was a hole in the handle. The handle was transparent and the wooden portion visible.

With the detailed description of the umbrella given by Punchimenike and Agnes, which description was supported to some degree by that given by Karunawathie and Somawathie, Punchimenike and Agnes had no difficulty, whatsoever, in identifying the umbrella found near the 9th mile post as that of Adeline's and which bore the marks of identification referred to in the descriptions already given by Punchimenike and Agnes to the Police.

The identification of the umbrella served a two fold purpose. Firstly it helped in the identification of the body as that of Adeline Vitharne. Secondly it established an important item of circumstantial evidence that Adeline must have been brought in a vehicle up to the 9th mile post and that some violence was used on her inside the vehicle, in the course of which her umbrella was broken and got flung out.

There is no admissible evidence that Anandagoda's car was seen after 2.30 p.m. on the 14th, but if Anandagoda and his car were identified at 2.30 p.m. at Horana and Anandagoda was

identified about 9.30 p.m. on the same day at Puttalam, he could only have come to Puttalam in a motor vehicle and having regard to the time element, there is a strong probability that he travelled in his own car to Puttalam.

When the party left the Taj Mahal Hotel, Reyal did not see them get into a car, but Mapilatamby, the cashier saw them leave in a car, the lady occupying the rear seat. Mapilatamby was only able to identify Podisingho Perera among the members of the party. There is a reasonable inference that Anandagoda and his companions left the Hotel in the same car in which they came there. In the chain of circumstantial evidence, if Anandagoda came to Puttalam in his own car, the finding of the umbrella, within the comparative short distance of 9 miles from the Hotel, was sufficient to satisfy a reasonable jury that Adeline travelled in Anandagoda's car when she left the Hotel and that it was the same car that took her to Timbiriwewa.

The identification of the scars by Punchimenike and Agnes is supported to some degree by the post mortem findings of Dr. Fernando. Dr. Fernando found fairly large scars varying from one inch to two inches in diameter on the left leg and six larger scars varying from one inch to three inches on the right leg.

Punchimenike had also stated to the Police that early in January 1959, Adeline had visited a Dental Surgeon at the Kandy Hospital for an infection of a tooth in the lower jaw. At the post mortem examination, Dr. Fernando found a large cavity on the right second lower pre-molar tooth and corresponding to this cavity there was erosion and destruction of the bones of the lower jaw. This erosion, he said, could have been caused as the result of an abscess due to an infected tooth. According to Dr. Thevarapperuma, who was on duty at the Out Patients' Department of the Dental Clinic at Kandy on January 27, 1959, Adeline Vitharne had been treated by him at the Clinic for a swelling in relation to the right second lower pre-molar tooth in the mandible and she had an abscess for which he had prescribed crystalline penicillin. The treatment given by Dr. Thevarapperuma corresponded to the post mortem findings of Dr. Fernando.

There was a further interesting item of circumstantial evidence which helped in the identification. After the post mortem examination, the skull was removed and a photograph of the skull was superimposed on an enlarged photograph of the head of Adeline Vitharne and found to correspond in many details. This experiment was carried out by Mr. George Webster of the Forensic Department of the Medical Faculty, who found the superimposition almost perfect.

Numerous witnesses from Kalutara, Kalawellawa, Horana and Puttalam have identified Adeline Vitharne from the photographs. There was therefore no dearth of evidence in regard to the identification of the body as that of Adeline Vitharne.

Although the identification of the body was challenged in the course of the trial, the prosecution was able to place a strong body of circumstantial evidence before the jury on the issue of identification. It was not submitted by the defence, either before the Court of Criminal Appeal or the Privy Council, that the jury took an unreasonable view in accepting the evidence of identification, whereby the prosecution had proved beyond reasonable doubt, that the body, that was found at Timbiriwewa on the night of 14th-15th March was that of Adeline Vitharne.

Dr. Fernando had also stated to the jury that early in January 1959, Adeline had visited a Dental Surgeon in the Kandy Hospital for an infection of a tooth in the lower jaw. At the post mortem examination, Dr. Fernando found a large cavity on the right second lower pre-molar tooth and corresponding to this cavity there was erosion and destruction of the bones of the lower jaw. This erosion, he said, could have been caused as the result of an abscess due to an infected tooth. According to Dr. Fernando, who was on duty at the Out Patients Department of the Dental Clinic at Kandy on January 27, 1959, Adeline Vitharne had been treated by him at the Clinic for a swelling in relation to the right second lower pre-molar tooth in the mandible and he had an abscess for which he had prescribed crystalline penicillin. The treatment given by Dr. Fernando was commensurate to the post mortem findings of Dr. Fernando.

CHAPTER IX

THE FORCE OF CIRCUMSTANTIAL EVIDENCE

In order to establish the case against Anandagoda in a court of law, the prosecution sought to prove two primary matters, firstly that Anandagoda was responsible for the murder of Adeline Vitharne and secondly, that Anandagoda's car was the murder 'weapon'. To the layman it might appear that both these matters could be established to the satisfaction of any jury as a result of Podisingho Perera's confession, but in law no part of this confession was legally admissible against Anandagoda nor could any part of it be used against him. If Podisingho Perera had chosen to give evidence the position might have been different. Consequently, in the absence of any direct evidence on both these vital matters, the prosecution had to rely on circumstantial evidence to prove its case.

In directing juries as to how they should approach circumstantial evidence, judges usually draw the attention of the lay jury to two fundamental matters. The jury are directed, that they must first accept the items of circumstantial evidence relied upon by the prosecution as being proved beyond reasonable doubt and then they are told that the proved items of circumstantial evidence must be of such a compelling nature as to enable them to draw the reasonable inference of guilt. If the proved facts do not satisfy a jury, that the one and only irresistible conclusion to be drawn is one of guilt, the prosecution would have failed to prove the case against the prisoner. The proved facts may amount to a case of suspicion, even grave suspicion, but suspicion, however strong, can never take the place of proof, which under our law is essential to establish a case beyond reasonable doubt.

The prosecution may fail to prove every single item of circumstantial evidence on which it relies, but that would not matter, provided the items that have been proved taken together, establish the case against the prisoner. Sometimes circumstantial evidence has been described as a chain consisting of several links,

but a well known English judge has aptly described circumstantial evidence, not as a chain, which would fall to the ground when one link is broken, but rather to a rope consisting of several cords. One strand of the rope may be insufficient to sustain the weight but three stranded together may be of quite sufficient strength.

It is in the light of these elementary observations on the law, that one has to examine the case against Anandagoda. Having regard to the verdict of the jury at the conclusion of the trial, which was subsequently affirmed by the Court of Criminal Appeal and by the Privy Council, it is obvious that the circumstantial evidence on which the Crown relied, was quite sufficient to prove the case against Anandagoda.

In a case of circumstantial evidence there are certain guide lines adopted by the prosecution to prove the case against the prisoner.

They are proof of the following matters :—

1. Motive.
2. Preparation.
3. Opportunity; and
4. Subsequent conduct.

In the case against Anandagoda, the prosecution was successfully able to establish proof of all four facts.

As regards *Motive* it was established that Adeline Vitharne was Anandagoda's mistress; that she bore a child by him and that she was pregnant a second time at the time of her death; that she had threatened to expose him in Court; that she had written to the Principal of Nanodaya College complaining against his conduct; that she was threatening to make a similar complaint to the Director of Education, and that she was pestering him to marry her. Added to this was his association with another girl who undoubtedly was of a higher social status than Adeline Vitharne, and whose marriage to Anandagoda was expected to take place in August 1959. Anandagoda admitted in his statement to Inspector

Dharmaratne 'that Adeline was becoming an unbearable nuisance to him and that she was disgracing him and his life was becoming miserable'.

On the question of *Preparation* the prosecution led evidence that Adeline had come to see Anandagoda at Nanodaya College on March 2; that he took her away soon afterwards in a car; that he arranged with Podisingho Perera to leave her at Kalawellawa, where he kept her at Alo Singho's house under a false pretext for twelve days; that he visited Kalawellawa in his car several times between March 2 and 14; and that he tried, but failed, to rent a fast Sports car for the week-end from Avis-rent-a-car Service on March 12 and 14.

On the issue of *Opportunity* there was evidence led by the prosecution that he left Panadura on the morning of March 14, on the pretext that he was going to Rambukkana to see his brother; that he picked up Sirisena at the Guest House, to whom he had earlier confided that he wanted his assistance to kill a girl; that he came to Bambalapitiya with Sirisena to finalise arrangements for the renting of a car on the 15th; that he met Podisingho Perera by prior arrangement at Diyagama; that he went to Kalawellawa and left the village in his car in the company of the deceased; that he came to Taj Mahal Hotel at Puttalam and was seen by Reyall in the company of a young woman, who could be none other than Adeline Vitharne; that Adeline Vitharne's dead body was discovered close upon midnight at Timbiriwewa $27\frac{1}{2}$ miles from Puttalam; and that Anandagoda returned to Panadura in the early hours of the morning of the 15th.

As proof of *subsequent conduct* the prosecution led the evidence of Rauff and Ratnayake to prove that on March 14, Anandagoda rented a car for a long journey for the 15th; that he removed the rented car at 10 a.m. on the 15th and returned the car to the Service at 7 p.m. the same day, having travelled 277 miles which could have taken him to Anuradhapura and back; that he tried to conceal the fact that he had paid a deposit of Rs. 50/- for the booking by tearing the counterfoil of the cheque; that he hid his own car at Jayadevi Garage on the 15th; and that he came back to

Panadura at 9 p.m. and went to bed early.

To these items of circumstantial evidence, the prosecution proved the admission of Anandagoda to Inspector Dharmaratne that he had a strong motive to get rid of the deceased; that he removed her to Kalawellawa on the 2nd and left Kalawellawa with her on the 14th and that he was in the company of the deceased at Puttalam a couple of hours before her death. It was the admissibility of these items of evidence that were the main subject of controversy in the Appeal Courts.

It was also the case for the prosecution that Anandagoda's car was used to commit the crime, and on this matter too, the prosecution relied on certain items of circumstantial evidence from which it invited the jury to draw the one and only irresistible inference that this was so in fact. If the jury reasonably believed that Anandagoda came in a car to Puttalam late at night on the 14th, it was very probably in his own car, which had been identified earlier that day at Kalawellawa and which was seen by the Horana petrol shed keeper, Pabilis Amerasinghe later at 2.30 p.m. The next witness to see his car was his fiancée, when she saw him about to leave her house at Panadura at 6-15 a.m. on the 15th. She noticed that on that occasion the car made a peculiar noise, which she described as 'Bara Bara', a noise which she did not notice when she travelled in it the previous Friday.

There was evidence that Anandagoda concealed his car behind locked doors at a garage at Maradana the whole of the 15th; that he removed it on the night of the 15th; that he brought it to Panadura that same night without the peculiar noise in the undercarriage being attended to; and that on the following evening at 3 p.m. he took it to Colonial Motors to have it serviced.

Dr. W. D. L. Fernando, the Judicial Medical Officer, Colombo who held the post mortem examination on the body described the injuries found on it and expressed the opinion that most of the injuries could have been caused by a motor vehicle having gone over the body at least twice. After referring to the old scars on the legs, he described 59 external injuries extending from top to toe.

Injuries 1 to 4 were lacerated wounds and contusions on the right side of the head, which could have been caused with a heavy club or iron rod, and rendered the victim unconscious. These injuries support the version that Adeline was attacked inside the car with an iron bar. Injuries 5 to 12 were on the face and head and could have been caused as the result of the face and head coming into contact with the rough surface of the tarred road. Injuries 13 to 18 were on the neck. Injuries 19 to 24 were contusions and scattered abrasions found on various parts of the chest and the left buttock. Injuries 25 to 29 were on the abdomen. Injuries 30 to 35 were on the right arm and injuries 36 to 44 on the left arm. Injuries 45 to 52 were on the right lower limb. Injury 53 was a gaping lacerated wound $8\frac{1}{2}$ inches by $3\frac{1}{2}$ inches on the left buttock and upper part of the back of the left thigh 1" deep. This was probably the injury caused by some portion of the under-carriage tearing through the flesh. Finally injuries 53 to 59 were lacerated wounds on the left lower limb.

Internally all twelve ribs on the left side of the body were fractured sometimes in two or three places and on the right side, seven of the twelve ribs were fractured. There were injuries to the pleura over the area of the right lung and there was laceration on the lower portion of both lungs. There were two large lacerations on the right lobe of the liver and several smaller lacerations. Consequent to the injuries to the liver, there was $1\frac{1}{2}$ pints of blood in the abdominal cavity. There were lacerations of the spleen and right kidney and death was due to shock and haemorrhage from the lacerations of the lungs and liver. Mercifully death must have been instantaneous and a swift release to the unfortunate victim.

According to Dr. Fernando the tyres had gone over the body at least twice and the gaping lacerated wound on the left buttock with surrounding grazed abrasions and similar abrasions on the pad of the right thigh were probably caused as a result of the grinding action of the wheel.

Mr. Colvin Sirimane, the Government Analyst examined the stomach contents and found $1\frac{1}{2}$ ounces of whitish fluid smelling of

asafoetida, but he was unable to express any opinion whether the fluid contained some drug which may have been administered a couple of hours before death. Mr. Sirimane also examined the clothes — the saree, the blouse, underskirt and brassiere. They all had traces of oil and grease and several tears indicating that they had come into contact with the undercarriage of the car. He discounted the possibility, in the circumstances that the deceased received her injuries as the result of a motor accident. In such a case he would expect the body to be thrown away from the vehicle with little or no oil or grease being found on the clothes.

The evidence of Dr. Fernando and Keegal of Colonial Motors only proved that Anandagoda's Fiat 1100 car could have caused the injury on the buttock. The evidence that, in fact, Anandagoda's car was used to commit the murder received corroboration from an item of circumstantial evidence, which transpired from an unexpected source.

Anandagoda was taken into custody on March 19 and his car 1 Sri 6265 was driven from the Guest House to the Moratuwa Police station and from there taken to the Technical Branch of the Criminal Investigation Department at Torrington Square for an examination for finger prints and any incriminating traces like human flesh, blood and hair in the undercarriage. There was little prospect of anything being found, in view of the fact that the car had been serviced on the 16th. The car was put into a locked garage and thereafter the garage was sealed. On the following morning Mr. Sirimane examined the car on the hoist at the Police Central Garage and he found three strands of hair adhering to the undercarriage of the car on the left side. These three strands were 8 inches, 7 inches and 3 inches respectively.

On March 25, on the directions of the Superintendent of Police, Mr. Rajasuriya, Inspector Seneviratne was directed to dismantle all four tyres of the car and the spare wheel and send them to the Analyst for examination and for the purpose of taking the measurements of the tyres. Inspector Seneviratne obtained the assistance of the Police Garage to carry out this work. After the four wheels were removed, Constable Banduseha Perera of the

Police Garage commenced to remove the spare wheel. The spare wheel was sunk into a recess below the luggage compartment and supported from below by a grid. When Constable Bandusena Perera removed the spare wheel he found stains all over the tyre and adhering to the stains he found a long strand of hair. The wheel was carefully removed and Inspector Seneviratne immediately telephoned Mr. Sirimane and requested him to come to the Technical Branch, where the car was left in the locked, sealed garage after it was brought from the Police Garage. Mr. Sirimane removed the strand of hair and some scrapings to which the hair was adhering. The spare wheel had not been removed from the housing at the time of the servicing. The strand of hair removed from the spare wheel was six inches in length.

The four hairs were examined microscopically by Mr. Sirimane and they had all the characteristics of human hair. These four strands were compared with hair taken from the scalp of Adeline Vitharne and found to be similar in texture and pigmentation. Mr. Sirimane however stated that it was never possible to express an opinion whether any human hair came from a particular head. Since Adeline was wearing her hair in two plaits, it is very likely, that when the car was driven over her body some hair had got entangled in the undercarriage and the servicing of the car with penetrating oil would only have had the effect of making the hairs adhere more closely to the undercarriage. The well known writer of non-fiction crime, Leonard Gribble, reported a case from Malaysia in 1939 under the title 'The clue of the four living hairs'. A young Hindu bride was strangled in a jungle adjoining a rubber estate. Robbery was the motive and the Police found the body stripped of all jewellery, which the deceased used to proudly and freely display in the village, while she was alive, thereby attracting the cupidity of her less fortunate neighbours. In the garden of the two suspects, a brother and sister, the Police unearthed some jewellery including an ear ring, which had been torn off the ear lobes and to which were attached four live hairs, that is hairs that had not atrophied, indicating that the hairs had been torn off the scalp at the time of the robbery. At the exhumation of the body it was established that the live hairs found with the ear ring were identical in texture, colour and weight with the hairs of the

dead bride. The evidence proved unassailable and established the guilt of the two suspects, who were convicted of the capital offence.

The strong probability that Anandagoda brought his car to Puttalam on the night of the murder; the possibility of the injury on the buttock of the deceased being caused by the grinding action of a wheel running over the body several times; his unexplained conduct in concealing his car behind a locked garage in Colombo; the fact that there was a peculiar noise underneath the carriage of the car suggesting that he had gone over some large object; his unusual conduct in having his car serviced immediately afterwards and denying that fact in his first statement; and the finding of four live hairs under the carriage of his car were items of circumstantial evidence against the owner of the car, sufficient to prove to the satisfaction of a reasonable jury that Anandagoda caused the death of Adeline Vitharne by running over her body in his Fiat 1100 car.

The car on which he doted with such care and concern, to which he attached the numerous extras to make it the cynosure of all eyes and the envy of his less fortunate colleagues was used for the diabolical purpose of killing the girl he had deceived and seduced, who bore him his child and whose life he had ruined.

CHAPTER X

THE INVESTIGATION

In the annals of criminal investigation in recent times, no case has been more successfully and more thoroughly investigated than the Wilpattu Murder Case. The investigation was a triumph, not only for the Criminal Investigation Department, who bore the brunt of the work involved, but also for the provincial Police, who collaborated fully with the Criminal Investigation Department to assist in the inquiries into a crime, which shocked the public of the country at the time.

When the body of the deceased was discovered on the morning of March 15 and the identity unknown, the first step taken by the Police, with the collaboration of the Press, was to give wide publicity to the description of the body, and the *Dinamina* paper of March 16 carried the following particulars :—

"The body was that of a pregnant woman of about 20 to 25 years of age. The Police suspect that she is a Singhalese young woman. According to the information received by the Police her height is 5 feet 3 inches. The hair has been parted in the middle and plaited. She was dressed in a pale rose coloured skirt and had a gold chain round her neck and a pair of gold ear studs. Quarter mile beyond that spot was found a pale coloured striped rose saree."

It was this description, which Agnes Vitharne read at St. Bernard's Convent, Nawalapitiya on the morning of the 16th, and in consequence of which she set out for Palletalawinne the same day to contact her mother and accompany her to Kalutara to look for her missing sister. Agnes and Punchimenike had gone on the afternoon of the 16th and given information to the Kalutara South Police station of the missing Adeline and were asked to come the following morning.

The Kalutara Police had reason to believe that the information given by Agnes and Punchimenike was worth checking and may have some connection with the discovery of the body at Timbiriwewa.

Sometime in February 1959, on one of her visits to Kalutara, Adeline had come to the Police station and made inquiries for Anandagoda. In the course of conversation with Inspector Siriwardene, Adeline had disclosed that she was the mistress of Anandagoda by whom she had a child and that she was being kept by him on the pretext of marrying her. Inspector Siriwardene noticed that she was pregnant at the time and he told her that Anandagoda was running a Guest House at Moratuwa called the Park View Guest House. When Inspector Siriwardene was speaking to her, Head Quarter Inspector Egodapitiya came there and inquired for her name and address and she stated that she was a native of Palletalawinne in the Katugastota Police area, where she lived with her mother.

When Siriwardene read the description of the dead body in the papers it struck a chord in his memory and he connected Adeline's visit in February with the finding of the body and mentioned his suspicions to Egodapitiya. These suspicions were confirmed to some degree, when Punchimenike and Agnes gave information of the missing Adeline on the afternoon of the 17th. Egodapitiya then requested the Criminal Investigation Department to send him the photographs of the body taken at the scene to be shown to Agnes and her mother the following morning. Before they arrived at the station, Egodapitiya telephoned Mr. Rajasuriya, Superintendent of Police and informed him of his suspicions, and when Agnes and Punchimenike came to the station on the 18th morning, they identified the photographs of the dead body. Egodapitiya immediately sent them by jeep to Colombo.

Inspector Abeywardene recorded the statement of Punchimenike from 11 a.m. to 5 p.m. and Inspector P. A. T. Perera the statement of Agnes from 11.10 a.m. to 6 p.m. These two statements formed the sheet anchor of the prosecution case and contained a detailed account of the association between Ananda-

goda and 'Lal Atapattu' alias Jayalal Anandagoda from 1956 to 1959. In the course of their statements they mentioned the names of several persons who figured as witnesses at the trial-Lingam, Abeynaike, Chandra, Millie and several others. Both witnesses gave details of the identifying marks on the body of Adeline and Punchimenike gave a description of the clothes and jewellery worn by Adeline when she left Palletalawinne on 2nd March.

Inspector A. M. Seneviratne of the Criminal Investigation Department and Police Sergeant Appuhamy were specially detailed on March 17 to be in charge of the investigation and they left for Anuradhapura the same evening. Seneviratne was informed at 11 a.m. on March 18 that the statements of Punchimenike and Agnes were being recorded at Colombo and that thereafter they would be sent to Anuradhapura the following morning to be shown the clothes and jewellery.

At 8 a.m. on March 19, Agnes and Punchimenike were brought to Anuradhapura by Assistant Superintendent of Police Rodrigo and Inspector Abeywardene, and at the bungalow of Assistant Superintendent of Police, Anuradhapura, Chandra Seneviratne they identified the clothes and jewellery. They were later taken to Timbiriwewa and shown the remains.

March 20, 1959 was a busy and rewarding day for the investigating team in several parts of the country.

At 5 a.m. Inspector Seneviratne with a Police party left Anuradhapura with Agnes and Punchimenike and reached Alawwa Post office at 9 a.m. where they inquired for the route to Asweduma Estate. Here Seneviratne met Chandra and Frank and recovered Adeline's certificates and books. They admitted that Adeline had stayed with them at Alawwa and that they knew Anandagoda. At 1-30 p.m. the Police party left with Chandra and Frank and at 2-35 p.m. they came to the house of Millie at Warakapola, where Seneviratne recovered Adeline's suitcase. At 3-45 p.m. Seneviratne, with the witnesses, Chandra, Frank, Millie and Vedamahataya left for Colombo and reached the office of the Criminal Investigation Department at 5-50 p.m. where Seneviratne com-

2 commenced to interrogate the witnesses and record their statements. The recording of the statements continued throughout the night and was only concluded at 6 a.m. the following morning.

At 2-30 p.m. on March 18, Inspector P. A. T. Perera had visited the Guest House at Moratuwa and searched Anandagoda's room and taken charge of several documents including Anandagoda's cheque book. He thereafter brought Anandagoda and his car to the Moratuwa Police station. He also visited the boarding house at Panadura and searched the front room which was occupied by Anandagoda.

Inspector Tyrrell Goonetilleke commenced the interrogation of Anandagoda at 10 p.m. on March 19, and the interrogation continued until 8-05 a.m. on the following day. The recording of his statement was in the presence of Assistant Superintendents of Police, Gunawardene and Mahendran. Anandagoda denied any knowledge of Adeline Vitharne or Punchimenike; he maintained that he had nothing to do with the murder; that he last serviced his car about two weeks previously; that during the month of March he travelled in his car only to Moratuwa, Panadura, Kalutara and Colombo; and that on March 14 and 15, he slept the night at his boarding house and that during the day he remained at the Park View Guest House.

Inspector Goonetilleke then confronted him with the counterfoils of two of his cheques, one for Rs. 28/50 paid to Colonial Motors and another for Rs. 50/- where the counterfoil was torn leaving only the amount paid to be noticeable. Confronted with these two counterfoils, Anandagoda admitted that he got his car serviced at Colonial Motors on the 16th and that the cheque for Rs. 50/- was paid to a car broker called Sirisena as commission for the purchase of a car for Anandagoda.

At 12 noon Inspector Goonetilleke went to the Bank of Ceylon and recovered the cheque for Rs. 50/- which he found had been paid to Avis-rent-a-car Service on March 15. From the Bank, Inspector Goonetilleke went to the office of Avis-rent-a-car Service and recorded the statements of Rauff and Ratnayake. He then

learnt that Anandagoda had come on the 12th to inquire for the booking of a Triumph Sports car, which request he repeated on the 14th morning and that he had booked the red Standard Vanguard for a long journey on the 15th and that he had taken it out at 10 a.m. and returned it the same night at 7.10 p.m. after travelling 277 miles. Confronted with the cheque for Rs. 50/-, Anandagoda admitted that he had drawn a cheque in favour of Avis rent-a-car Service to be given to one Sirisena. Inspector Goonetilleke had by now obtained valuable information to contradict Anandagoda's first statement and had substantial reasons to suspect his complicity in the crime.

While Anandagoda's movements were being checked and his falsehoods gradually discovered under the searching cross-examination of Goonetilleke, the Police were fortunate in obtaining valuable information from a completely different source.

From March 16, there was a strong rumour prevalent in the village of Kalawellawa, that the photograph of the dead body which appeared in the local press was that of the attractive stranger who resided in Alo Singho's house earlier that month. On the evening of March 20, when a car driver called Munidasa was travelling in a bus to Kalawellawa, he noticed a man, whom he knew to be the brother of Alo Singho, seated in front of him. He questioned the stranger and asked him whether the girl who was residing in his brother's house at Kalawellawa was not brought there by Anandagoda, who had been taken into custody on the 19th in connection with the Wilpattu murder. The stranger was at first evasive and then remained silent. When the bus halted at Kalawellawa, the stranger alighted from the bus and ran up the hill in the direction of Alo Singho's house.

Munidasa's suspicions were aroused and subsequently when he saw the same stranger travelling in the last bus from Kalawellawa at 5-40 p.m., he secretly informed Sirisena, the driver of the bus about his suspicions and told Sirisena to inform the Matugama Police about the suspicious stranger when the bus reached Matugama.

The stranger, acting in this suspicious manner was noticed by another villager of Kalawellawa called Aladin. Aladin proceeded to the Kalawellawa bazaar, met Premadasa and they both went across the river and gave information to Don Arthur, the Village Headman of Welgama, whom they met at the Atura bazaar. They told him that if Alo Singho and the stranger were questioned they would be able to give some information about the murder. The Headman contacted Inspector Nizam of the Bulathsinhala Police and Nizam set out with a Police party by jeep for Kalawellawa. By the time they reached Kalawellawa the stranger had disappeared.

When Sirisena's bus reached Matugama, he gave information about the suspicious stranger to a beat constable called Premaratne. Premaratne accosted the stranger when he was coming out of the Sirisara Hotel. The man showed signs of fright and when Premaratne inquired for his name, he gave his name as Podisingho Perera. He was taken to the Matugama Police Station, where he was questioned by Assistant Superintendent of Police, Mr. Sivasampoo. Sivasampoo immediately gave information to the Criminal Investigation Department about the arrest of Podisingho Perera.

When the Police in Colombo were informed of Podisingho Perera's arrest at Matugama, they decided to take Anandagoda to Matugama to confront him with Podisingho Perera. The interrogation of Anandagoda was interrupted and Assistant Superintendents of Police Iyer and Mahendran, Inspector Ambalavanar and Sergeant Rupasinghe left Colombo at 10 p.m. and reached Matugama soon after midnight. Assistant Superintendent of Police Sivasampoo was at the Matugama Police Station with Podisingho Perera, Alo Singho, the Headman of Welgama and Inspector Nizam.

In the presence of Anandagoda A. S. P. Iyer questioned Podisingho Perera and he admitted that Anandagoda, one Sirisena and himself went in Anandagoda's car and took Adeline on the Puttalam road, where she was taken out of the car, and placed on the road, while Anandagoda went over her body several times.

The object of confrontation, being to demonstrate to a suspect the information in the possession of the Police, Anandagoda must have realised that his wicked crime was no longer a secret. The investigating team had now first hand information of how the crime was committed and the persons responsible.

A. S. P. Iyer then commenced to record the statements of Podisingho Perera, Alo Singho and the Headman of Welgama. Munidasa was also produced before him by the Headman to have his statement recorded. The recording of Podisingho Perera's statement commenced at 4-25 a.m. and was only concluded at 8 a.m. Iyer then left for Colombo at 9 a.m. with Anandagoda and Podisingho Perera.

On Anandagoda's return to Colombo, Inspector Seneviratne, assisted by Inspector Goonetilleke, interrogated Anandagoda from 11-45 a.m. to 5-30 p.m. particularly, in the light of Podisingho Perera's confession to the Police. He then admitted that Adeline Vitharne was his mistress for several years, that she came to meet him at Kalutara on March 2; that he left her at Alo Singho's house at Kalawellawa; and that he removed her from Kalawellawa on March 14. He then added that he sent Podisingho Perera home and came with one Sirisena, whom he had arranged to meet at the Kalutara Clock Tower previously, and whom he had taken with him to Kalawellawa and later to the Guest House. He told this Sirisena to take Adeline to Kandy and leave her at her mother's place at Palletalawinne and gave him Rs. 500/- to settle the affair. He did not know what Sirisena did thereafter.

The confrontation, between Anandagoda on the one side and Podisingho Perera and Alo Singho on the other, had paid dividends and it now only remained for the Police to disprove the fantastic story that Anandagoda sent Adeline with Sirisena to settle the affair.

After concluding the recording of Anandagoda's statement on the 21st at 5-30 p.m. Seneviratne immediately set out for Anuradhapura and at 10-30 p.m. that same night, Anandagoda was handed over to A. S. P. Chandra Seneviratne at his bungalow and

later put into the Police cell. The following morning at 10 a.m. A. S. P. Seneviratne and Inspector Dharmaratne obtained a further statement from Anandagoda and Anandagoda then admitted that he was responsible for the murder of Adeline Vitharne, which he stated, was committed with the assistance of Podisingho Perera and Sirisena. Anandagoda was thereafter taken to Timbiriwewa to check on his statement and on March 22, he was remanded by the Anuradhapura Magistrate. Within eight days of the commission of the murder, the Police had sufficient material to prove the complicity of Anandagoda in the crime.

In the course of Podisingho Perera's confession to Iyer he stated that one Mr. Sirisena was a participant in the crime. The Police were aware that Mr. O. D. A. Sirisena was a good friend of Anandagoda and on March 22, Inspector Thavarajah was sent to Paiyagala to trace this Sirisena, who was a teacher at Nanodaya College. O. D. A. Sirisena's statement was recorded by Iyer and he stated that he was at Paiyagala the whole of the 14th and 15th and that he never accompanied Anandagoda anywhere on either of these two days. Was Podisingho Perera deliberately trying to implicate an innocent man or could he have been mistaken about the identity of the Sirisena who accompanied them on the night of the 14th? The watcher Sirisena, who was ultimately charged as the third accused at the trial, was not known to Podisingho Perera and he met him only on the evening of the 14th and continued to be in his company only on the night of the 14th-15th. There is some evidence that at Puttalam this Sirisena was also dressed in slacks and shirt. It may well be therefore, that Podisingho Perera was mistaken about the identity of the Sirisena who accompanied them on the night of the 14th. O. D. A. Sirisena's alibi was carefully probed by Inspector Nanayakkara from 8-20 p.m. on March 22, until 2-30 p.m. on March 23, in the course of which he recorded the statements of twelve witnesses. Sirisena's alibi appeared to be unshaken and although he was remanded as a suspect on March 22, he was subsequently released on May. 27.

When a suspect makes a confession to the Police and gives a detailed account of his activities on the relevant dates, the Police have necessarily to check on the statement and verify, whether the

suspect's account of his movements is supported by independent evidence to render it credible. After the detailed statement of Podisingho Perera was recorded by Iyer, he directed Inspector Goonetilleke to check on the statement. According to the Police they had not decided at the time, whether Podisingho Perera was going to be made an accused or called as a witness at the trial. This could only be decided upon after his statement was verified. According to Inspector Goonetilleke Podisingho Perera was brought to Colombo on the 21st and released on Police bail on the orders of A. S. P. Iyer. Whether in fact Podisingho Perera was thereafter in illegal custody or not is a debateable point. The defence maintained with considerable force at the trial, that he was in illegal custody from March 21 to 23.

Inspector Goonetilleke left Colombo at 5-30 p.m. on the 21st with Assistant Superintendent of Police Mahendran, Sergeant Appuhamy and Podisingho Perera. They first went to Diyagama, where Goonetilleke recorded the Headman's statement, he then met the petrol shed keeper at the Galapatha shed and at 10 p.m. reached the Mahagama Circuit Bungalow. From there he proceeded to the Horana petrol shed, where he recorded Pabilis Amerasinghe's statement and then came to the Park View Guest House, where he searched for Adeline's clothes and brought the watcher Sirisena and Podisingho Perera to Colombo at about 2 p.m. on March 22.

At 3-50 p.m. Goonetilleke continued his check of Podisingho Perera's statement. He went through Polgahawela, Kurunegala and then to Puttalam which he reached at 9.50 p.m. Here he recorded the statements of Reyal and Mapilatamby, and they both identified Podisingho Perera as having come with the party on March 14. He then went to Timbiriwewa returned to Puttalam on the 23rd, snatched a couple of hours sleep at the Rest House, while Podisingho Perera and Sergeant Appuhamy slept in the car and returned to Colombo at 4 p.m. through Nikaweratiya, Kurunegala and Ambepussa.

At 7-28 p.m. that same night Podisingho Perera, O. D. A. Sirisena and watcher Sirisena were taken to Anuradhapura, the

first two as suspects in the case and the watcher Sirisena to have his statement checked. On the 24th at 4-35 a.m. Inspectors Seneviratne and Abeywardene handed over Podisingho Perera and O. D. A. Sirisena to the Anuradhapura Police. Sirisena was brought back to Colombo and sent home that same night.

Podisingho Perera was produced before the Additional Magistrate, Mr. Palitha Weerasinghe at 9-15 a.m. on the 24th and remanded to Fiscal's custody until 5-10 p.m. that evening when his confession was recorded.

The watcher Sirisena was free from March 24 until April 9 when, after further investigations by the Police and consultations with the Attorney-General, he was rearrested at 5-30 p.m. on April 9, and thereafter made a suspect in the case.

While Inspectors Seneviratne and Tyrrell Goonetilleke were conducting investigations in regard to the movements of the suspects, several other Police officers assisted in the investigation in other ways. On March 20, Inspector Abeywardene had proceeded to Katugastota on inquiry and traced witnesses who had seen a gentleman coming in a car to meet Adeline Vitharne and halting his car near her house at Palletalawinne on several occasions. He also traced the proprietor of Fatima Studio where Adeline had taken photographs for her identity card and removed the negatives of the photographs for the purposes of the investigation. These negatives were used by George Webster for the purpose of carrying out experiments in regard to the superimposition.

Inspector P. A. T. Perera was instructed to proceed to Moratuwa, Kalutara and Gonagala and check on some of the matters disclosed in the statements of Agnes and Punchimenike. He could not contact Lingam, who had left for a holiday to India, and Lingam's statement was only recorded on his return to the Island on April 21. Perera assisted in the arrest and interrogation of Anandagoda on March 19 - 20; he recorded the statement of Baby Nona at Kalutara, which established that Adeline Vitharne had visited Kalutara on March 2. He also recorded the statements of several witnesses at Nanodaya College. In the course of his in-

quiries at Panadura and Kalutara, Perera recorded the statements of the witnesses at Anandagoda's boarding house at Panadura. The times of arrival and departure of Anandagoda's car on the 14th and 15th were disclosed by his fiancée. On March 23, he recorded the statement of the Principal of Nanodaya College and took charge of Adeline's letter of January 19, 1959.

On March 22, Nithiyanathan had gone with his family to the Colombo jetty to see some friends off on the steamship 'Strathaird' and he met Mr. J. W. Goonetilleke, the Vice Principal of Nanodaya College and casually mentioned to him that Anandagoda's car had been parked in his garage on the 15th. This information had somehow trickled through to Inspector Anthony of the Wadduwa Police and it was through him that Inspector Seneviratne was able to trace the witnesses Nithiyanathan and Marthelis, who gave valuable information about the concealment of Anandagoda's car on the 15th.

Inspector Nathan of the Puttalam Police recorded the statement of Rahimtulla on March 23, in regard to the important item of circumstantial evidence concerning the discovery of the umbrella, which he later sent to Colombo for the purpose of being identified.

Head Quarter Inspector Dharmaratne was the first Police officer to arrive at the scene and took careful precautions regarding the guarding of the body and the safe custody of the clothes and jewellery found on the deceased. He assisted Inspector Seneviratne in his inquiries at Alawwa and Warakapola and later conducted further inquiries at Katugastota. It was he who recorded the final statement of Anandagoda at Anuradhapura, in the course of which, Anandagoda made serious admissions, which considerably assisted the prosecution to prove the case.

Apart from recording the confession of Podisingho Perera, A. S. P. Iyer recorded the statement of the Kalawellawa witnesses; Inspector W. P. Fernando recorded the statements of the witnesses at Colonial Motors; Inspector Cameron obtained the assistance of experts to examine the articles at the Guest House and Alo Sin-

gho's house at Kalawellawa; Inspector Thavarajah checked on O. D. A. Sirisena's alibi and thereby had him speedily released, and several other Police officers, Village Headman, members of the public in various parts of the country helped in the investigations.

Every possible aspect of the case was probed which shed any light in the unfolding of the narrative and which culminated in the apprehension of the suspects. The details of Sidohamy's accident at Gonagala, the particulars of the visits of Anandagoda to the Kadugannawa Rest House, the Mahagama Circuit Bungalow and several other places, complete details of Adeline's visits to Nanodaya College and her movements at Kalawellawa, inquiries in regard to the servicing of Anandagoda's car, the investigations into the renting of the Vanguard at Avis-rent-a-car Service, inquiries regarding the purchase of Adeline's clothes at Katugastota, the dental treatment received by her at Kandy, the tracing of the jeweller Manishamy at Gonagala, inquiries at Alawwa and Walakumbura and a host of other details which supported the main evidence such as the productions of letters, telegrams and money orders from proper custody were all attended to with meticulous care. The Police made inquiries even in regard to the antecedents of Anandagoda and Adeline and obtained their certificates of birth. When Court proceedings commenced prosecuting Counsel had been furnished with a complete brief.

The Police are sometimes criticised by the public for certain unorthodox methods adopted by them in the recording of statements and the obtaining of confessions from accused persons. Sometimes these allegations are not without justification, and although in the course of the trial in this case, similar allegations were made and suggestions advanced that some of the evidence was fabricated, the investigations in the Wilpattu Murder case by a team of devoted, enthusiastic and careful investigators deserve the highest commendation. It was an investigation conducted intelligently, of which the Police of any country can justly be proud. The members of the force who were associated with the investigation, be it members of the Criminal Investigation Department or the provincial Police, pulled their weight in a spirit of team work and enabled the prosecuting department to bring home guilt to a

criminal, whose complicity in the crime was never in doubt.

At the conclusion of the trial, the Inspector General of Police highly commended the investigating team, which was headed by Mr. A. J. Rajasuriya, Superintendent of Police of the Criminal Investigation Department and other gazetted officers, Assistant Superintendents of Police Iyer, Rodrigo and Chandra Seneviratne in bringing to a successful conclusion what he described as a case 'without parallel in the annals of our crime, particularly in regard to the diabolical plan to commit the murder of Adeline Vitharne, which was executed in a most cruel and cold blooded manner.'

Two young Probationary Assistant Superintendents of Police, S. D. E. S. Gunawardene and P. Mahendran, who were undergoing a training in the Criminal Investigation Department at the time, gained valuable experience in being associated with the investigation.

The brunt of the investigation, however, fell on the shoulders of the young Inspectors attached to the Criminal Investigation Department, particularly Inspectors A. M. Seneviratne, Tyrrell Goonetilleke, Abeywardene, P. A. T. Perera, Ambalavanar, Thavarajah, Nanayakkara and several other officers, who sent sleepless nights in the performance of their official duties to bring the investigation to a successful conclusion.

CHAPTER XI

THE COURT PROCEEDINGS

At the conclusion of the investigations, Inspector A. M. Seneviratne had consultations with the Attorney General and Crown Counsel in regard to the available evidence against the suspects and on 24, May 1959, less than three months after the commission of the crime, plaint was filed in the Magistrate's Court of Anuradhapura against the three suspects, Jayalal Anandagoda, Podisingo Perera and Asuramani Silva alias Sirisena, on charges of conspiracy to commit the murder of Adeline Vitharne and the murder of Adeline Vitharne.

The evidence at the non-summary inquiry was led by Senior Crown Counsel, Noel Tittawella, (later Justice Tittawella) with the assistance of Inspector Seneviratne. The magisterial inquiry was held by Mr. V. Kandasamy, District Judge and Magistrate of Anuradhapura. Advocate S. Saravanamuttu appeared for Anandagoda and the other two suspects were not represented. 147 witnesses testified at the inquiry and the number of productions totalled 224.

The productions included the Fiat 1100 car, 1 Sri 6265, the clothes and the jewellery found on the body, the umbrella, the skull, the negative photograph taken of the skull and the photographs of Adeline Vitharne and the superimposed photograph of the skull on the enlarged photograph of the deceased. Also included in the list of productions were the photographs that appeared in the press with copies of the newspapers. Entries in the Admission book of the Kadugannawa Rest House and the entries made at the Mahagama Circuit Bungalow, the documents relating to the servicing of 1 Sri 6265 at Colonial Motors on March 16, 1959 and the documents relating to the hiring of the red Standard Vanguard 1 Sri 2103 from Avis-rent-a-car Service formed an important part of the Crown case. There were also produced the receipts and bill books from Pathirana's shop at Katugastota, letters written by Adeline, originals of telegrams and money orders sent by Anan-

dagoda, the certificates and books of Adeline found on Aswedduma Estate, Adeline's suit-case found at the house of Millie and the documents in connection with the dental treatment taken by Adeline Vitharne at Kandy Hospital. Photographs of the dead body taken at the scene, of Nanodaya College, of Anandagoda's boarding house at Panadura, those taken at the Taj Mahal Hotel at Puttalam and also those taken at Kalawellawa were produced by Sergeant Alwis of the Police Photographic Bureau. A sketch drawn to scale showing the relevant spots at Kalawellawa was produced by Sarath Indatissa, the Kachcheri Surveyor of Anuradhapura. He also produced the sketch of the scene. The reports of the Government Analyst, the Government Examiner of Questioned Documents and of Dr. Fernando, the Judicial Medical Officer also formed an important part of the Crown case and Mr. Sirimane produced the scalp hair, the fibres and hairs removed from the undercarriage of the car with his report. Even little details such as the Registers of Nanodaya College showing the record of the short leave taken by Anandagoda, his personal file, the birth certificates of Anandagoda and Adeline were included in the list of productions by Crown Counsel, who prepared the indictment, so that a complete picture necessary for the presentation of the case was available, when the case came up for trial before the Assizes.

After several dates of inquiry at the Anuradhapura Courts, all three suspects were committed on 25 September, 1959 to stand their trial in the Supreme Court before an English speaking jury on charges of conspiracy to commit murder and murder. A little over six months was taken to complete the investigations and the non-summary inquiry, and the preliminary steps to bring the culprits responsible for the death of Adeline Vitharne had now been concluded.

On 24 February, 1960, the Attorney General presented an indictment against the three suspects in the following terms :—

The Queen

v

1. Jayalal Anandagoda
 2. Tuduwage Don Allis Singho *alias* Podisingho Perera
 3. Asuramani Isiman Silva *alias* Sirisena,
- you are indicted at the instance of the Honourable Douglas St. Clive Budd Jansze, Q.C., Her Majesty's Attorney General, and the charges against you are :—

1. That between the 2nd day of March, 1959, and the 15th day of March 1959, at Timbiriwewa, in the division of Anuradhapura, within the jurisdiction of this Court, and at Kalutara, Kalawellawa, Colombo, Puttalam and other places, you did agree to commit or abet or act together with a common purpose for or in committing or abetting an offence, to wit, the murder of Adeline Vitharne and that you are thereby guilty of the offence of conspiracy for the commission or the abetment of the said offence of murder, in consequence of which conspiracy the said offence of murder was committed, and that you have thereby committed an offence punishable under Section 296 of the Penal Code read with Section 113B and 102 of the said Code.
2. That on or about the 14th day of March, 1959, at Timbiriwewa, within the jurisdiction of this Court, you did in the course of the same transaction commit murder by causing the death of the said Adeline Vitharne and that you have thereby committed an offence punishable under Section 296 of the Penal Code.

This twenty fourth day of February 1960.

A. Mahendrarajah,
Crown Counsel.

Being a case within the jurisdiction of the Midland Circuit of the Supreme Court, the case would normally have been set down for hearing at a sitting of the Supreme Court at Kandy, but a special Sessions of the Midland Circuit was held for the first time in the ancient city of Anuradhapura to hear the case, which commenced before an English speaking Jury on 4 April, 1960.

The Presiding Judge was the Honourable K. D. de Silva. The Crown was represented by the Solicitor General Mr. A. C. Alles and Messrs Noel Tittawella and A. Mahendrarajah, Crown Counsel. Anandagoda was defended by Advocate S. Saravanamuttu of

the Colombo Bar assisted by Advocate R. L. R. Kulawansa and instructed by Proctor H. A. Jayewickreme. Proctor Bertram de Zylva of the Anuradhapura Bar was assigned by the Court to defend Podisingho Perera, who was undefended and Advocate V. Karalasingham instructed by Proctor C. de F. Goonewardene defended Sirisena.

Before the jury was empanelled, Senior Counsel for Anandagoda and Counsel for Sirisena made applications for a separation of trials. In their submissions, the depositions of the witnesses did not establish a *prima facie* case against their clients and amounted, if at all, only to a case of strong suspicion. The confession of Podisingho Perera, therefore, was the only evidence to indicate that the first and third accused were present at the time of the murder. Mr. Saravanamuttu submitted, in the circumstances that a joint trial would be highly prejudicial to his client. Counsel for the third accused also associated himself with the submissions of Mr. Saravanamuttu. On behalf of the Crown it was submitted, that for the unfolding of the narrative, a joint trial was essential and that an adequate direction of the trial Judge would meet the ends of justice. After hearing the submissions of the Solicitor General and Counsel for the accused, Justice Silva disallowed the application and stated that he would direct the jury, at the appropriate stage, that the confession of the second accused would not be evidence against either the first or the third accused.

The trial was concluded on 27 May after 34 days of hearing in the course of which 110 witnesses were called for the prosecution and 165 productions were produced. After the conclusion of the non-summary proceedings and before the trial, the witness Baby Nona had died, and her deposition in the Magistrate's Court was led in evidence after formal evidence was placed before Court of her death.

At the close of the case for the prosecution, the Solicitor General made an application to the Trial Judge to withdraw the indictment against the third accused Sirisena. He submitted that he was not justified in asking the jury for a verdict against him on the available admissible evidence. Except for the fact, that it was

established that he was not present at his usual place of work on the 14 and 15 March and that he was identified by Rauff, when he came with Anandagoda to book the car for the 15th, there was no admissible evidence that he participated in the conspiracy to commit the murder or that he accompanied Anandagoda on his journeys on the 14 and 15 March. Even if he was identified at the Taj Mahal Hotel on the night of the 14th, the evidence may not have been sufficient to prove that he accompanied Anandagoda to Timbiriwewa, in the absence of any other item of circumstantial evidence of an incriminatory nature. The application to withdraw the indictment was allowed by the trial Judge, who agreed with the submissions of the Crown, that the prosecution evidence was insufficient to call upon him for his defence. The third accused was thereafter discharged by the Judge.

The case against the other two accused then proceeded. Anandagoda and Podisingho Perera were called upon for their defence, but they neither gave evidence nor did they call any evidence on their behalf.

The addresses of Counsel then commenced. The Solicitor General summed up the case for the prosecution and addressed the jury for a day. Mr. Saravanamuttu followed and took one and a half days for his address and he was followed by Mr. Zylva who also took the same length of time to meet the case against his client. Justice Silva then commenced his charge, which took the greater part of one day and it was concluded at 5-25 p.m. The jury retired at 5-25 p.m. and returned with their verdict at 6-27 p.m. They found both accused not guilty on the charge of conspiracy, convicted Anandagoda of murder by a majority verdict of 6 to 1 and acquitted Podisingho Perera by a verdict of 5 to 2. Thus ended the trial in the Wilpattu Murder case.

The divided verdict on Anandagoda was surprising in the light of the overwhelming evidence against him, which included his admissions that Adeline Vitharne was his mistress and that he brought her to Puttalam on the night of March 14. He gave no evidence to explain the items of circumstantial evidence established against him by the Crown. Equally surprising was the

verdict of acquittal against Podisingho Perera. He was associated with Anandagoda from March 2, when he assisted him to leave Adeline Vitharne at Kalawellawa; he accompanied Anandagoda on the murder trip; he was identified by Reyal and Mapilatamby at Puttalam; he was present at the time the murder was committed and participated in it and if he wanted the jury to believe that he was not a willing participant in the killing and that he did not share a common intention with Anandagoda to commit the murder, he should have given evidence and explained the incriminatory circumstances against him. There was a strong direction by the trial Judge for a conviction, but in spite of this direction, he was acquitted by the jury.

The verdict in the Wilpattu case illustrates the difficulty which the prosecution occasionally has to face to bring a criminal to justice, in view of the unpredictable attitude of a lay jury. The Police may work up a case with thoroughness and efficiency; the prosecution may present their facts to establish the case beyond reasonable doubt; and the Judge may sum up strongly but fairly on the evidence, but the ultimate decision lies with the lay jury, who sometimes through peculiar views of their own may undo all the good work done by the prosecution. In India they have done away with the jury system and the gravest of crimes are now tried by a Sessions Judge, sometimes with Assessors, with an appeal to two Judges of the State Court and finally an appeal on a question of law to the Supreme Court of India. It is a system which so far has worked satisfactorily. Nevertheless, the prosecution in the Wilpattu case must be satisfied that the chief culprit was convicted of the capital offence, for which crime without a doubt, he was responsible.

After the jury brought their verdict, Podisingho Perera was discharged and Anandagoda was asked by the trial Judge, whether he had anything to say before sentence of death was passed on him. He then said 'I am not guilty. I have nothing to say'.

In the stillness of a crowded Court room and in a hushed atmosphere, the black cap was placed on the Judge's head and he passed the only sentence, which the law has prescribed for the

offence of murder. The execution of Anandagoda was fixed for 6 July, 1960, but was postponed from that day until Anandagoda had exhausted his remedies in appeal.

At the conclusion of the trial two witnesses for the prosecution were punished for perjury-Bertie Colombage and Kingsley Beneragama. Colombage tried falsely to support Anandagoda's alibi that he spent the day of March 14 at the Guest House and was fined Rs. 100/- and deprived of his batta and Kingsley Beneragama was severely warned and reported to the Head of his Department.

Two questions of law were raised by defence Counsel in the course of the trial. It was submitted that Podisingho Perera's confession was not voluntary and should be ruled out and secondly, the admissibility of certain statements made by Anandagoda to Inspector Dharmaratne were challenged as amounting to confessions and therefore inadmissible in law.

In regard to the first question, Counsel submitted that the confession was tainted on the ground that Podisingho Perera was in illegal custody of the Police for nearly three days before his confession was recorded by the Anuradhapura Magistrate. After A.S.P. Iyer recorded Podisingho Perera's statement at Matugama, the suspect was brought to Colombo with Anandagoda and it was essential for the purposes of the investigation that his statement should be checked, before a decision was taken whether he should be taken into custody in connection with the murder. A.S.P. Iyer directed that he should be released on Police bail after his statement was recorded and he was free to go home, but he chose, perhaps for his own protection, to reveal all the matters within his knowledge and collaborate with the Police in the checking of his statement. Podisingho Perera continued to remain in the office of the Criminal Investigation Department until 5-20 p.m. when a further statement was recorded from him by Inspector Tyrrell Goonetilleke, who was detailed by A.S.P. Iyer to check on his movements.

Inspector Goonetilleke left Colombo with A.S.P. Mahendran,

Sergeant Appuhamy and Podisingho Perera at 8 p.m. on the 21st. Their first stop was at Diyagama, then Galpatha, next the Mahagama Circuit bungalow and finally Horana. When they reached Horana it was after midnight on the 21st. The following morning, after some rest, they left Horana at 8-30 a.m. and reached Park View Guest House at 10-55 a.m. Here Inspector Goonetilleke questioned Sirisena and left with Podisingho Perera and Sirisena for Colombo. At 3.50 p.m. at the C.I.D. office, Podisingho Perera was confronted with O. D. A. Sirisena and he identified O. D. A. Sirisena as the person who accompanied Anandagoda and himself on the night of the 14th. At about 5.30 p.m. Inspector Goonetilleke and the same Police party set out with Podisingho Perera from Colombo and reached Polgahawela at 6.30 p.m. and finally arrived at Puttalam at 9-30 p.m., where Reyala and Mapilatamby identified Podisingho Perera. Soon after midnight they visited Timbiriwewa and returned to Puttalam at 2 a.m. on the 23rd. Inspector Goonetilleke slept at the Puttalam Rest House while the other Police officers and Podisingho Perera slept in the car, which was halted in the compound. At 7-30 a.m. they left for Colombo through Nikaweratiya and Kurunegala and reached Colombo at about 4 p.m. The delay was due to the fact that investigations had to be made at both these stops. Podisingho Perera's movements had now been checked.

He was then fingerprinted and that same night at 7-28 p.m. he was taken into custody and removed to Anuradhapura by Inspectors Seneviratne and Abeywardene and handed over to the Anuradhapura Police at 4-35 a.m. on the 24th. Inspector Dharmaratne then questioned Podisingho Perera and the latter indicated that he wished to make a statement to the Magistrate. At 9-15 a.m. he was brought to Court and at 9-55 a.m. he was produced before the Additional Magistrate, Mr. Palitha Weerasinghe, who then remanded him to Fiscal's custody and gave him ample opportunity to reflect, as to whether he wished to make a statement.

Mr. Weerasinghe commenced to record the confession of Podisingho Perera at 5-10 p.m. and continued for four hours. Mr. Weerasinghe, who at the time of the trial had left the Judicial

Service to join the Attorney-General's, Department, satisfied himself that the statement was a voluntary one before he commenced to record it. It was difficult for the Police to check on Podisingho Perera's statement within a shorter period, having regard to the long distance that had to be travelled, but even if it could be argued that Podisingho Perera was in illegal custody from the time of his arrest on the 20th and his rearrest on the 23rd, the material question was whether the statement he made to Mr. Weerasinghe was a voluntary one. Mr. Weerasinghe categorically informed the accused on the morning of the 24th and also before he recorded the confession that same evening that he was not going back to Police custody. He gave him ample opportunity to reflect and decide whether he wished to make a statement or not and in the circumstances, after hearing the submissions of Counsel, the trial Judge permitted the confession to be led in evidence. Ultimately however the question turned out to be one of academic interest, in view of the acquittal of Podisingho Perera at the trial.

The other question of law raised a matter of considerable importance, particularly in view of certain conflicting decisions of the Supreme Court, which however the prosecution submitted, had been resolved by that time.

In his statements to the Police, Anandagoda admitted that Adeline Vitharne was his mistress; that he had a child by her and that she was pestering him to marry her; that she was an unbearable nuisance and making his life miserable; that on March 2 he removed her to Kalawellawa; that on 14th March he brought her from Kalawellawa to Puttalam; that he was at the Taj Mahal hotel at Puttalam in her company on the night of the 14th; and that he rented a car from Avis-rent-a-car Service on 15 March.

Although it was strongly urged by the defence that the cumulative effect of these admissions were tantamount to a confession that Anandagoda had committed the murder, it was the submission of the prosecution that it was not so in fact. For instance, it is not a confession to murder to admit that a person was angry with the victim of the murder. The victim of a deliberate killing may have several enemies, any of whom might have a reason for com-

mitting the murder. Nor is it a confession to murder to admit that one was in the company of the person killed, even within a short time prior to the death. The trial Judge after a consideration of the law in relation to the facts of the case permitted the prosecution to lead evidence of these admissions as substantive evidence.

Anandagoda exercised his rights under the law and appealed to the Court of Criminal Appeal from his conviction and his appeal was listed for argument before Chief Justice Basnayake, Justice Sansoni and Justice H. N. G. Fernando on August 4, 1960. Advocates T. W. Rajaratnam, Kulawansa, Kulan Ratnesar and J. C. Thuraiaratnam appeared for Anandagoda. The Attorney General was represented by Mr. A. C. Alles, Solicitor General assisted by Messrs V. S. A. Pullenayagum and Noel Tittawella, Crown Counsel. After a hearing lasting four days the appeal was dismissed. The main point argued in appeal was the effect of the admissions proved against the prisoner. It was submitted that the admissions had the effect of inducing the jury to believe (a) that the appellant had a strong motive for desiring the death of Adeline Vitharne, (b) that the appellant was in her company when she was last seen by the witnesses in the case, and had an opportunity to be in her company at the time when her death was caused, (c) that he had planned to use a hired car, and not his own car, for the trip with Adeline on the day of her death and (d) that his subsequent conduct tended to show that he may have had knowledge that the body lay at the place where it was subsequently discovered. It was contended for the appellant that the admissions, taken together, constituted a confession and that, having being made to police officers, they were led in evidence in contravention of Section 25 of the Evidence ordinance. Justice H. N. G. Fernando who delivered the judgment of the Court, after a consideration of the relevant authorities, held that the prosecution was justified in leading the statements of the accused as admissions.

On 13 June, 1961 the Judicial Committee of the Privy Council granted leave to appeal to the Privy Council and Mr. Ralph Milner who appeared in support of the application again contended that the admissions constituted a 'confession' and was wrongly admitted

in evidence. Lord Denning who presided remarked to Mr. Milner 'You have shown that there is a difficult and important point involved in the case in view of the conflicting decisions in Ceylon'. Mr. T. O. Kellock for the Crown however contended that the conflict had been settled and no longer existed in Ceylon.

Anandagoda's appeal to the Privy Council came up for hearing before Lord Tucker, Lord Hodson, Lord Guest, Lord Devlin and Mr. L. M. D. de Silva and on April 4, 1962 the judgment of the Privy Council was delivered by Lord Guest. In the course of the judgment Lord Guest stated :—

"Their Lordships consider that there is no ground for criticism of the test which the Court of Criminal Appeal applied in examining the appellant's statements. If the statements are considered by themselves, they do not in Their Lordships' opinion, amount to a confession of guilt within the meaning of Section 17 (2). There is no admission that the appellant was driving the car at the time of the offence or that if he was driving the car that in running over the deceased the appellant was acting deliberately, both of which elements would be necessary to constitute the offence of murder. In Their Lordships' opinion the evidence was properly admitted'."

A further point of law was sought to be argued but the Privy Council refused permission to Counsel to do so since it had not been raised either at the trial or before the Court of Criminal Appeal. Counsel submitted that in regard to admissions made to Police officers, these admissions were led in evidence in violation of Section 122 (3) of the Criminal Procedure Code which only permitted the statements recorded in the course of a Police investigation to be used for the limited purpose of contradicting a witness, and not as substantive evidence. The law as it stood in 1960 had permitted oral admissions of statements recorded under Section 122(3) to be led in evidence on the ground that the statements referred to in Section 122(3) only applied to the written record and not to oral admissions of such statements. When the point was raised before the Privy Council in Anandagoda's appeal, Their Lordships refrained from expressing any opinion whether, if Section 122(3) did apply the statements would have been inadmissible.

Since 1960 the Court of Criminal Appeal and the Privy Council have held that under the provisions of Section 122(3) of the

Criminal Procedure Code no distinction should be drawn between the oral and written record of the statement.* Consequently if Anandagoda's trial took place a few years later, the prosecution would not have been permitted to lead evidence of Anandagoda's admissions to the Police officers. Be that as it may, no prejudice could have resulted even if these admissions had been led in evidence and ruled to have been inadmissible for, as Justice H. N. G. Fernando observed at the conclusion of his judgment in the Court of Criminal Appeal 'the Crown had ample evidence with which to prove the case even if evidence of the challenged admissions had not been received'.

With the dismissal of Anandagoda's appeal to the Privy Council, Anandagoda had exhausted all his legal remedies against his conviction and sentence. The Court proceedings were concluded a little over three years after the commission of the murder.

When the hangman's noose fell round his neck at the Bogambara prison on 21st June 1962 and Jayalal Anandagoda ultimately paid the extreme penalty of the law for his crime, the cruel death of Adeline Vitharne, which he had planned and carried out, had finally been avenged.

*Queen v Buddharakkita Thero (1962) 63 New Law Reports 433.

Queen v Ramasamy (1965) Privy Council 66 New Law Reports 265.

Queen v Jayasena (1966) 68 New Law Reports 369.



CHAPTER XII

CONCLUSION

There are certain aspects of the Wilpattu Murder Case, particularly on the issue of identification, which bear a striking resemblance to features found in two well known English notable trials. One was the case of the Parsee doctor, Buck Ruxton, who was charged in 1935 with the murder of his wife and the other, the case of the fire watcher, Harry Dobkin, who was also charged with the murder of his wife, Rachel Dobkin, ten years later.

In the case of Dr. Ruxton, the dismembered parts of the bodies of Mrs. Ruxton and the maid, Mary Rogerson were found wrapped in several parcels of newspaper at Moffat, a ravine several miles away from Dr. Ruxton's Lancaster flat. A brilliant team of medical experts including Professor Glaister, Professor Sydney Smith and Professor Brash reconstructed the remains and established that some remains were those of the missing Mrs. Ruxton. An important item of circumstantial evidence to prove identification was that one of the skulls found in the Moffat ravine was that of Mrs. Ruxton. This was sought to be proved by the super-imposition of a photograph of the skull on an enlarged photograph of the head of Mrs. Ruxton. But Professor Brash was scrupulously fair and did not venture a definite opinion. This being the first case in which identification of this kind was sought to be proved, he stated as his definite opinion, that this did not constitute evidence of identity. He expressed himself in the following manner :—

"In the absence of minute significant differences in the relation of skull to head in persons with heads of the same size and same general type and in view of our lack of experience in the technique of comparing skulls with portraits, the evidence however striking the superimposed outlines and photographs may appear, must be taken on the same basis as the evidence provided by the fitting of the casts of the feet to the shoes. It may nevertheless be of value as circumstantial evidence".

In the Wilpattu case, although George Webster found the superimposed photograph of the skull on the enlarged photograph of Adeline Vitharne to be almost perfect, it was only an item of circum-

stantial evidence, which with the other items of evidence, helped in the identification of the body as that of Adeline Vietharne.

Another point of similarity between the Wilpattu case and the Ruxton case was the identification of the body by some articles of clothing. The parcels containing some of the remains in the Ruxton case, were wrapped in a blouse, a pair of rompers and a strip of sheeting. Mary Rogerson's mother identified the blouse as being that of her daughter, by a patch under the arm which she herself had sewn. Mrs. Holmes, another witness, with whom the Ruxton family spent a holiday identified the rompers by a peculiar knot she had tied in the elastic, as a pair she had given Mary Rogerson for the Ruxton children. The strip of sheeting was found to be torn from the bedsheet of Mrs. Ruxton's bed.

Justice Singleton, who presided at the trial, considered this evidence of considerable importance in establishing the identity of the remains as that of Mrs. Ruxton. Once identity was established, the other items of circumstantial evidence—the blood stained carpets, the clothes and other material found in the flat, established beyond reasonable doubt that the dismemberment of the remains of Mrs. Ruxton and Mary Rogerson was carried out by Dr. Ruxton in the secrecy of his flat.

Perhaps Dr. Ruxton never imagined that these common articles of clothing could ever have been identified as articles of clothing from his home, just as Anandagoda never imagined that the clothes and jewellery found on the dead body at Timbiriwewa would ever have been identified as articles of clothing and jewellery belonging to his mistress.

In Dobkin's case, the fire watcher, Harry Dobkin had been separated from his wife for a long period and he had been ordered by the Court to pay maintenance. He was constantly in arrears of payment and found it difficult to pay the amounts ordered, as he had no fixed employment. It was established in evidence that Mrs. Dobkin disappeared on April 12, 1941. On Easter Monday, April 14, a mysterious fire broke out in the Baptist Chapel, less than a fortnight after Dobkin was appointed a fire

watcher over the area. The fire at the time was put down to an air raid. On July 17, 1942, while workmen were clearing the site of the fire, they found a scorched skeleton in the cellar and the Police removed the remains, which were examined later by Dr. Keith Simpson, the Home Office Pathologist. The remains were in a fair state of preservation because there was a deposit of slaked lime round it—the murderer had mistakenly used slaked lime instead of quick lime which would have had the opposite effect. The fracture of the hyoid bone suggested strangulation. The fracture was one which could not be attributed to any known cause. Dobkin was found in suspicious circumstances in the neighbourhood of the fire and the Police commenced investigations into a case of murder. One of the items of circumstantial evidence which assisted in the identification of the body as that of Mrs. Dobkin was the finding of the skull. The Police had obtained a full face photograph of the head of Mrs. Dobkin from her sister. They took a carefully balanced X ray photograph of the skull found in the cellar and then superimposed the full face portrait over it. The result was an X ray photograph shared by Mrs. Rachel Dobkin and the dead woman. Identity was thereby established and according to Dr. Keith Simpson, the evidence supported the claim that the skeleton found in the cellar was none other than that of Rachel Dobkin.

There was also evidence that during her life time, Rachel Dobkin had had three teeth in her upper jaw filled by the dentist. The upper jaw of the skull found in the cellar indicated that three teeth in the upper jaw had been filled in the identical places.

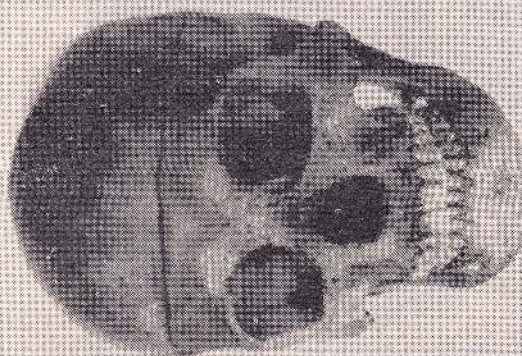
In the Wilpattu case, the skull only showed a large cavity on the lower section of the premolar tooth and corresponding to the cavity there was erosion and destruction of the bones of the lower jaw, which could have been the result of the abscess for which Dr. Thevarapperuma treated Adeline Vitharne at the Kandy Hospital.

Another point of interest in the Dobkin case was the objection taken by the defence to the Police statements of Dobkin, which according to defending Counsel, Mr. Lawton (now Justice Law-



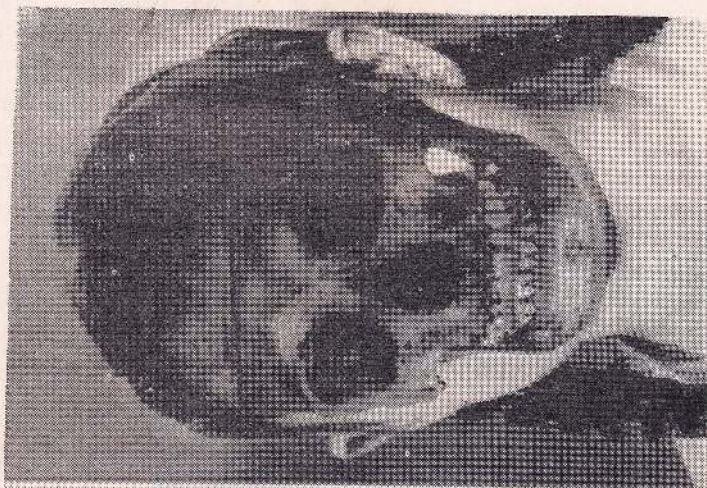
A

PHOTOGRAPH OF ADELINE VITHARNE
ENLARGED 3½ INCHES



B

PHOTOGRAPH OF THE SKULL AND
LOWER JAW OF THE DECEASED
FOUND AT THE SCENE PHOTOGRAPHED
IN THE SAME POSITION AS THE FACE
IN PHOTOGRAPH A



C

THE RESULT WHEN PHOTOGRAPH
B IS SUPERIMPOSED ON
PHOTOGRAPH A



MONUMENT TO ADELINE VITHARNE
TIMBIRIWEWA

ton), were obtained while Dobkin was in Police custody and therefore not a voluntary statement, in the sense that it had not been obtained from him 'either by fear of prejudice or hope of advantage exercised or held out by a person in authority' quoting from Lord Sumner's judgment in the Privy Council case of *Ibrahim v Rex*¹. The same objection was taken to the confession of Podislingho Perera, which according to the defence was tainted having been taken at a time, when the suspect, after being in Police custody for three days, was yet in 'fear of prejudice or hope of advantage' previously held out to him by the Police, even though it was recorded by the Magistrate.

Every criminal trial has some element of human interest and in our country that interest extends over a wide and varied field. A crime may be committed over a boundary dispute, the plucking of a jak fruit, over a family squabble and for a variety of reasons, trivial or otherwise, which give rise to the criminal instinct in man being stirred. Premeditated crime in Sri Lanka however, has not been of frequent occurrence, and whenever a crime has been planned, the long arm of the law eventually reaches the criminal and demands justice. This may be due to the fact that in our country, criminals, who plan their crimes are often not discreet, they talk too much, they take too many people into their confidence, they are inclined to be boastful and their actions and their conduct evoke the curiosity of people who are naturally curious and take note of anything untoward that happens outside their normal lives. Premeditated crime always entails some element of risk, in respect of which reasonable precautions can be taken, but it is surprising how criminals, who plan their crimes commit the most elementary blunders, blunders which ultimately result in disaster to themselves.

Anandagoda's illicit relationship with Adeline was not one that was carried out secretly. Millie and Chandra were fully aware of this association. Indeed on one occasion Anandagoda told Chandra, when he was going to Kandy, that he was going to meet his girl, Adeline. It was public knowledge in the village of

¹—(1949) A.C. 499

Kalawellawa that the unknown stranger, who resided in Alo Singho's house was the mistress of the gentleman, who used to visit Kalawellawa in the Fiat 1100 car. The car was a distinctive car, which could not have failed to evoke the curiosity of all who saw it, particularly in the rural areas. When he visited Kalawellawa on the 14th, with the object of removing Adeline to her ultimate fate, Anandagoda foolishly made public his presence in the village by visiting the Mahagama Circuit Bungalow and leaving a permanent record of his visit to Kalawellawa by signing the Circuit Bungalow book and noting the times of his arrival and departure. Anandagoda's dealings with Avis-rent-a-car Service displayed indiscretion on his part. By paying Rauff for the booking of the car for the 15th by cheque, he committed a stupid blunder. If he had paid for it in cash, Inspector Tyrrell Goonetilleke, however alert and however acute his Police sense may have been, would have had no counterfoil to notice and no cheque to trace. As a result of Anandagoda's folly, Goonetilleke traced the cheque and discovered Anandagoda's movements during the crucial days.

By leaving the body on the main road at Timbriwewa, did Anandagoda seriously believe that the authorities would have imagined that Adeline Vitharne's death was the result of a hit and run motor fatality? Did he think that any sensible investigator would have been fooled and thought that she was the victim of a motor accident, when he must know that grease and oil and dust would be found all over the clothes and body? Why should Adeline Vitharne of Palletalawinne from the Kandy District be found wandering on the road at dead of night at Timbiriwewa? These are some of the questions which any reasonable person would ask himself.

It is interesting to speculate as to what might have happened, if Anandagoda decided to conceal the body in the Puttalam jungles, after removing all marks of identification. He had the assistance of two accomplices, and his car could have taken the body through some of the less frequented gravel roads that branched off the Puttalam-Anuradhapura road into the jungle, where it would not have been discovered for several days and where wild animals would have assisted in removing all likely traces of identification.

The prosecution then would probably have failed to prove that the remains were those of Adeline Vitharne and Anandagoda might have got away with his crime. But like every criminal, Anandagoda was a coward; he was too scared to remain in the vicinity of the dead body for longer than was absolutely necessary and his one object was to get away from the scene as quickly as possible. Darkness was too frightening a time to be in the company of a dead body and the day had to dawn for him to travel over a hundred miles to merely have a look at the corpse. His cowardice proved his undoing, for the prosecution was able to establish the identity of the dead body beyond reasonable doubt to be that of his mistress.

The Wilpattu Murder case is remarkable for more reasons than one. The investigations were wide-spread and extended over several districts—the Southern, the Central, Western, North Western and North Central provinces of Ceylon. The narrative shifted from Gonagala, a village in South Ceylon to Palletalawinne in the Kandy district; from Kalutara to the rustic village of Kalawellawa; from Colombo to Alawwa in the Kurunegala district and then to Puttalam and finally reached its climax at Timbiriwewa, a hamlet on the borders of the Anuradhapura district. Police investigations were not confined to a restricted area but were spread far and wide, and the Criminal Investigation Department and the provincial Police joined hands to conduct extensive inquiries into the crime.

The Wilpattu case was also a case of strange coincidences. Had not Adeline been withdrawn from her English Examination in 1956, she might never have gone to Gonagala to fetch her grandmother. The chance meeting between Anandagoda and herself at the Fort Railway Station would then never have taken place; it was a coincidence, perhaps not unusual, that two sisters should have purchased the same clothes and thereby helped in the identification of the body; it was fortunate that Rahimtulla returned the same night to Puttalam to make it possible for him to notice the umbrella, pick it up and keep it safely to be handed to the Puttalam Police later; it was through Nithiyanathan's accidental contact with J. W. Goonetilleke that the Police became aware that

Anandagoda had concealed his car at the Jayadevi garage; had Anandagoda succeeded in booking the Triumph sports car, the case might have taken a different turn and Anandagoda may have escaped the consequences of his crime; and it was Anandagoda's clumsy attempt to conceal the payment of Rs. 50/- to Rauff, that aroused Inspector Goonetilleke's suspicions. Perhaps fate decreed that these coincidences should occur to ensure justice for Adeline Vitharne.

The Wilpattu Murder case will long be remembered as one of the most interesting and fascinating cases among the criminal trials of Sri Lanka. Every decade has its quota of notable trials and within the precincts of Hulftsdorp, ever since the sensational Attygalle Murder case in 1907, the main Assize court at Hulftsdorp has been the centre of several memorable criminal trials—the Duff House murder, the Pope-Murder case, the Turf Club Robbery and Murder, the Whitehouse case, the Bandaranaike Assassination trial, the Sathasivam case and the Kularatne case, being some of the best known, but although the Wilpattu Murder trial was held in the ancient and sacred city of Anuradhapura, it was nevertheless followed with avid interest by the people of Sri Lanka.

Human passions and human frailties have contributed and will continue to contribute to the criminal instinct in man being awakened. The human interest may vary in greater or lesser degree, but in recent times in this country, no case has had such a surfeit of absorbing human interest as the Wilpattu case. The pathetic appeals and the futile endeavours of Adeline Vitharne for her rightful place in society spelt only tragedy for herself and the members of her family. The case was a human drama that extended over a period of two years, where deception and lust, ambition and pathos, played prominent parts until it reached its climax on the night of 14, March 1959.

The case created such public interest at the time, that soon after the crime, a generous and sympathetic public set up a monument at Timbiriwewa to the memory of the dead girl, which still stands as a silent memorial to the grim tragedy that befell Adeline Vitharne on that fateful night.

Perhaps the most striking account of the fate that befell the unfortunate Adeline Vitharne is found in the lines of 'Gallinago' of Chilaw who described her tragedy in the following verse :-

TO
ADELINE VITHARNE

"That day you met that man in the train,
That man who led you astray
On a road which he said would Be
strewn with flowers
And would lead to a wedding day,
That day did you think, poor misguided maid,
That the end of that road would be
In a lonely grave, by a lonely road-
'Neath a lonely jungle tree?"

October 1976

'GALLINAGO'

APPENDIX 'A'

LEADING DATES IN THE WILPATTU MURDER CASE

1927	July	20	Birth of Jayalal Anandagoda at Poddala, Galle.
1933			Abraham Vitharne married Punchimenike.
1935			Birth of Agnes Vitharne.
1937	June	20	Birth of Adeline Vitharne.
1939			Punchimenike, Agnes and Adeline went to reside at Gonagala.
1949			Abraham and his family returned to Palletalawinne.
1953			Adeline joined Sri Rahula College, Katugastota.
1955			Anandagoda joined the staff of Nanodaya College, Kalutara.
1956			Marriage of Abraham and Punchimenike registered.
	October	2	Sidohamy's accident.
	November	2	Adeline met Anandagoda at the Fort Railway Station.
	November	4	Adeline seduced by Anandagoda at the Kaduganawa Rest House.
1957	August	6	Adeline and Punchimenike met Lingam at Henamulla
	August	9	Birth of Adeline's daughter
	October		Adeline left Palletalawinne and employed in Colombo
1958	March		Adeline employed under Abeynaïke.
	June		Adeline met Lingam at Henamulla.
			'Lal Atapattu' discovered.
	June	28	Adeline left Abeynaïke's services and returned to Palletalawinne.
	September		Anandagoda commenced to visit Adeline again at Palletalawinne.
	October		Adeline conceived for the second time.
	November		Adeline taken to Walakumbura by Anandagoda, Millie Fernando and Chandra de Silva.
	December		Adeline visited Anandagoda at Kalutara.
			No settlement.
1959	January		Anandagoda, Millie and Chandra met Adeline at Palletalawinne. Quarrel between Anandagoda and Adeline.
	January	19	Adeline wrote to the Principal, Nanodaya College.
	March	2	Adeline left Palletalawinne for Kalutara and met Anandagoda. Adeline taken to Kalawellawa.
	March	12	Anandagoda tried to make arrangements for the hiring of a sports car from Avis-rent-a-car Service.
	March	13	Anandagoda met Alo Singho at Kalutara and promised to remove Adeline from Kalawellawa on the 14th.

March	14	MURDER OF ADELINE VITHARNE.
March	15	Anandagoda visits Timbiriwewa.
March	16	Agnes read the description of the finding of the body in the papers at Nawalapitiya and came to Palletalawinne. News of Abraham's illness at Gonagala. Anandagoda got his car serviced at Colonial Motors.
March	17	Agnes and Punchimenike left for Kalutara and met Baby Nona. Agnes and Punchimenike informed the Kalutara Police about the missing Adeline. Agnes went to Gonagala. Punchimenike remained at Kalutara.
March	18	Agnes returned from Gonagala. Agnes and Punchimenike identified photographs of the dead body. Egodapitiya sent Agnes and Punchimenike to Colombo. Statements of Agnes and Punchimenike recorded.
March	19	Agnes and Punchimenike identified Adeline's clothes and jewellery at Anuradhapura and also the scars on the legs after exhumation. Anandagoda arrested at Moratuwa and taken with his car to Moratuwa Police station. Anandagoda's statement recorded by Inspector Goonetilleke from 10 p.m. to the following day.
March	20	Inspector Seneviratne on inquiry at Alawwa, Walakumbura and Warakapola. Statements of Millie Fernando and Chandra de Silva recorded at Colombo. Inspector Goonetilleke recovered the cheque of Rs. 50/- from the Bank and recorded the statements of Rauff and Ratnayake. Arrest of Podisingho Perera at Matugama. Three live hairs discovered underneath the carriage of Anandagoda's car.
March	21	Podisingho Perera brought to Colombo and taken out at 5-30 p.m. to check his statement. Inspector Goonetilleke at Diyagama, Kalawellawa and Horana.
March	22	Anandagoda taken to Anuradhapura and remanded. Inspector Goonetilleke came back to Colombo with Podisingho Perera and again left for Puttalam. Podisingho Perera identified by Reyall and Mapilattamby. Statements of Nithiyanathan and Marthelis recorded.
March	23	Inspector Goonetilleke returns to Colombo with Podisingho Perera. Inspector Seneviratne leaves with Podisingho Perera and O. D. A. Sirisena for Anuradhapura. Rahimulla hands the umbrella to the Puttalam Police.
March	24	Podisingho Perera handed over to the Anuradhapura Police. Confession of Podisingho Perera to the Magistrate.
March	25	Fourth live hair discovered on the spare wheel of Anandagoda's car.
April	9	Sirisena arrested and remanded.

May	23	Plaint filed against all three accused in M. C. Anuradhapura.
September	25	All three accused committed to the Supreme Court.
1960 February	24	Attorney General's indictment forwarded.
April	4	Trial commences at Anuradhapura
May	23	Sirisena discharged.
May	27	Trial concluded. Anandagoda convicted of murder. Podisingho Perera acquitted.
August	4	Anandagoda's appeal dismissed by the Court of Criminal Appeal.
1961 June	13	Anandagoda obtains leave to appeal to the Privy Council.
1962 April	4	Anandagoda's appeal to the Privy Council dismissed.
June	21	Execution of Anandagoda at Bogambara Prison.

APPENDIX 'B'

MOVEMENTS OF ANANDAGODA ON MARCH 14 AND 15, 1959.

SATURDAY, MARCH 14 :

- 6-30 a.m. — Left boarding house at Panadura.
- 7-00 a.m. — Park View Guest House, Moratuwa.
- 10-00 a.m. — Left Moratuwa with Sirisena.
- 10-15 a.m. — Booked Standard Vanguard 1 Sri 2103 for March 15 from Avis-rent-a-car Service.
- 11-00 a.m. — Nagaskade Junction, Kalutara North. Sirisena dropped and directed to meet Anandagoda at Maradana.
- 11-45 a.m. — Picked up Podisingho Perera at Diyagama.
- 11-55 a.m. — Galapatha Petrol shed.
- 12-15 p.m. — Kalawellawa.
- 12-40 p.m. — Mahagama Circuit Bungalow
- 1-30 p.m. — Left Kalawellawa with Adeline and Podisingho Perera.
- 2-30 p.m. — Shell Petrol Station, Horana.
- 3-30 p.m. — Picked up Podisingho Perera at Maradana.
- 4-00 p.m. — Left Colombo along the Kandy road.
- 6-00 p.m. — Kurunegala.
- 7-30 p.m. — Wariyapola.
- 8-00 p.m. — Nikaweratiya.
- 9-30 p.m. — Taj Mahal Hotel Puttalam.
- 11-00 p.m. — Left Puttalam.
- 11-30 p.m. — Timbiriwewa - Murder of Adeline Vitharne.
- 11-45 p.m. — Emaliyanu discovered the body.

SUNDAY, MARCH 15 :

- 1-00 a.m. — Emaliyanu informed the Headman of Nochchiyagama.
- 3-20 a.m. — Headman informed the Anuradhapura Police.
- 4-30 a.m. — Police at the scene.
- 5-00 a.m. — Anandagoda returned to Panadura.
- 6-15 a.m. — Anandagoda left Panadura in 1 Sri 6265.
- 8-00 a.m. — Anandagoda picked up Sirisena from the Park View Guest House.
- 9-00 a.m. — Anandagoda left 1 Sri 6265 at Jayadevi Garage.
- 10-30 a.m. — Left Colombo with Sirisena in 1 Sri 2103. Madampe.
- 3-00 p.m. — Timbiriwewa
- 7-10 p.m. — 1 Sri 2103 returned to Avis-rent-a-car Service.
- 8-00 p.m. — Removed 1 Sri 6265 from Jayadevi Garage.
- 9-00 p.m. — Returned to Panadura.

APPENDIX 'C'

CONFESSION OF TUDUWAGE PODISINGHO PERERA OF DIYAGAMA

In the Magistrate's Court of Anuradhapura

I have known Mr. Anandagoda for $1\frac{1}{2}$ to 2 years. I came to know him when I was working in Taxila Hotel, Kalutara as a waiter. He used to have his meals at the Hotel. I had to leave the Hotel and I was unemployed for some time. I worked temporarily thereafter at Milton Bake House, Kalutara. I worked there for about 3 months. A child of mine fell ill. I went to see Mr. Tennekoon of Gnanodaya College, Kalutara. He had helped me off and on earlier and I went in order to get some money from him. I expected Rs. 5/- but he could give me only Re. 1/- and I accepted that. After that I met Mr. Danwattagoda and he asked me what I was doing now. I said I was unemployed now and asked for employment on one of his lands. He was a teacher at Gnanodaya College. He told me that I would not be able to do estate work and asked me to ask for employment from Mr. Anandagoda who had recently started a Guest House at Moratuwa.

I went to meet Mr. Anandagoda immediately afterwards in school and asked him to find me employment. I did not mention the Guest House then. He asked me how much salary I expected. I said I was paid Rs. 50/- a month at the Hotel and that I would be satisfied with even Rs. 40/- as I was unemployed. He said he would make inquiries whether there was a vacancy in any place he knew and that he would inform me.

On 2nd March 1959 I went to Kalutara to buy fish for a wedding. I remembered the request I had made to Mr. Anandagoda and went to see him in his school. He asked me to meet him at Mr. Tennekoon's house at 1-30 p.m. after buying the fish. Fish had not arrived and was not expected till 5-30 or 5-45 p.m. I went to Mr. Tennekoon's house between 1-30 p.m. and 2 p.m. At that time Mr. Tennekoon, Sirisena and Mr. Anandagoda were conversing on Mr. Tennekoon's verandah. Mr. Sirisena was also a teacher at Gnanodaya College. Mr. Sirisena asked Mr. Anandagoda whether he was after lunch. Messrs. Tennekoon and Sirisena went to have lunch.

After they went in Mr. Anandagoda told me that there was a child and asked me whether I could keep her at my house for some time. He told me that it was a girl. He did not tell me her age. I said I could not do so as there was no room in the house and I could not afford to feed her. I further said that if he thought it very necessary I would ask my elder brother whether he could keep the girl at his place. He asked me whether I could not go and see my brother on that day. I replied that I could not but that I would see him the following morning. He said I could come back after seeing my brother and buy the fish and called me to go to my brother's place in his car. I got into his car at Mr. Tennekoon's.

He took me to the Katukurunda Junction. He dropped me there and proceeded towards Alutgama. He came in 15 or 20 minutes with a lady. He took me into the car and the three of us went to my brother's house at

Kalawellawa. My brother was not at home. We stayed there till he returned from work. The house is on a hill. The car was stopped on the road and I went up leaving Mr. Anandagoda and the lady in the car. I came back as my brother was not at home and all of us remained by the road. I was outside the car. The two of them were inside.

My brother came after some time. I told my brother 'This gentleman wishes you to keep this lady in your house for some time. My brother replied with a smile that he could keep the lady but there would be no room to stay if it rained because the roof was leaking. Mr. Anandagoda told my brother that it would not be for long but only till the following Friday. My brother then agreed.

My brother and I went up to the house with the lady. Mr. Anandagoda remained in the car saying that he could not climb the hill. On the way up I asked the lady who she was of Mr. Anandagoda. She said she was engaged to be married to him. I left her in the house and came back after drinking a glass of water. I returned to Kalutara in the car with Mr. Anandagoda. I bought fish and went home to Diyagama by the 8-45 p.m. bus. I do not know where Mr. Anandagoda went after dropping me.

For two or three days thereafter I could not come to town as I had work in connection with the wedding. I came to town on 5th March and went to see the gentleman at school and told him that my wife and children intended to go to Kalawellawa and asked him whether he could give us a lift if he was going on the next day. He said he could do so and asked us to meet him by the river on the Old Road. He asked me to see him at School at 1-30 p.m. after leaving the others on the Old Road.

On the following afternoon my wife, my two children, my sister-in-law and I came to the Old Road and leaving the others there I went to meet Mr. Anandagoda at Gnanodaya College. School was over and as soon as he saw me he came to the road in his car and picked me up. We went up to where the other members of my family were and picked them up. As we approached the house the gentleman told me that he was not going to the house but that he would drop us close to it. He had not yet been able to find accommodation for her. I then remarked that if there was no other place there should be at least the lady's home. He said it was his intention to take her home to Kandy as he had not had the time to find a place for her. He said he would come to pick us up the following evening. He said he would come to the house after making the necessary arrangements for the lady. He asked us to expect him at the house between 4-30 and 5 p.m. He dropped us at the junction and turning his car about went away.

We waited for the gentleman till about 5-40 p.m. the following day and since he did not turn up I went home alone by bus. The others followed me home the following morning. They told me that the gentleman had not come there either on the evening of 7th March, which was a Saturday, or on the following morning till they left my brother's house. My brother came to see me on Monday and told me that the gentleman had come about 2 p.m. on Sunday afternoon and promised to come on Wednesday or Thursday to take the lady away as he had no time to look for a place for her. My brother also told me that Mr. Anandagoda asked him to look out for a land of about 50 acres for him to purchase. It was with the intention of meeting a landowner of Kalutara in that connection that my brother came that day.

My brother came to see me once more on Friday and said that the gentleman had not come either on Wednesday or Thursday and had not even come on Friday. He said it was troublesome to keep the lady in the house. I went with him to see the gentleman. I went to the school leaving my brother by the road and met the gentleman in the staff room. He said that that was not a time to meet him and asked me to meet him near the Kalutara Clock Tower at 2 p.m. My brother and I waited for him there. The gentleman came about 2-30 p.m. in his car. He said he would go to Kalawellawa the following morning without fail and asked me to be ready to go there with him.

From about 9 a.m. to 10-30 a.m. on the following day (Saturday) I waited for him by the road near the Old Cooperative Store. I was hungry and went home. I had some tea from a thermos flask and came back to the road. When I was about three fathoms from the road I saw the car go past from the direction of Horana towards Kalutara. Then I walked up to the house of the Village Headman of Diyagama and sat on a chair on his verandah. Within 10 minutes the car came back and seeing me on the verandah the gentleman stopped the car. I got into it and went.

He went to the petrol shed at Galpatha. He asked for Super Shell and was told that there was no Super Shell there. He then bought a gallon of ordinary petrol. We drove on to Kalawellawa and stopped the car near my brother's house. The gentleman sounded the horn and my brother came down to the car. The gentleman asked him to tell the lady to get ready and that we would be back in about 5 minutes. My brother returned after giving her the message and we took him into the car. The three of us went to a Guest House at Mahagama. The gentleman ordered two bottles of beer. My brother and the gentleman drank at the table. I went with a glass to the verandah out of sight of those two and drank my beer. When I returned they had finished drinking. The gentleman paid the bill and we came back near my brother's house.

After we stopped the car my brother called out to his sister-in-law and asked her to call the lady. The lady and some other members of my brother's household came down. Then the lady told the gentleman in Sinhalese that two of my brother's sisters-in-law had treated her very well and suggested that they should be taken for a drive and photographs of them should be taken. The gentleman then said something in English. After that the gentleman, the lady and I drove away in the car.

We drove direct to the Horana petrol shed and petrol was pumped into the car. I do not know how many gallons were pumped. I told the gentleman that there was a bus for me to take to go home and that I would take it and asked him when I would meet him again. He told me that they were going to Kandy and called me to go with them. I refused saying that a child of mine was ill. He said he would be returning alone and that he would drop me at home on our return and called me to go with him. I agreed to go and got into the car. He came to a Guest House at Moratuwa. The car was stopped close to the garage and the three of us got out. I forgot to mention earlier that the lady brought a bag and parasol. She brought these from my brother's house. She took them there on the day she went to live there. When they were walking towards the Guest House a waiter peeped out and went in. The lady and the gentleman entered the house. I spread my handkerchief on the step and sat down. I sat there for about 10 minutes and getting tired of sitting down I walked towards the gate. A little later the lady and

Messrs. Sirisena and Anandagoda got into the car. Mr. Anandagoda waved to me. I went up to the car. I said 'Sir, now that you have Mr. Sirisena for company may I stay behind. Mr. Anandagoda called me to go saying that I had promised to accompany them and that we could all come back together. I persisted in my refusal. Then Mr. Sirisena called me saying that we would be coming back soon. I got in. The car started off driven by Mr. Anandagoda. I was in front besides Mr. Anandagoda. Mr. Sirisena was behind me in the rear seat and the lady was behind Mr. Anandagoda.

We came along the Galle road and got on to the Kandy road. After we had passed Warakapola we turned left. There was a board indicating that the turn was to Kurunegala. Then the lady asked why the car was being turned if we were going to Kandy and I asked Mr. Anandagoda whether it was closer to go to Kandy that way. He replied that he had some business at Wariyapola and that they would go to Kandy through Galagedera and since the lady was going home it did not matter what time she got home. I forgot to mention earlier that we had king coconut on the way at some place on the Kandy road. We proceeded on that road. The three of them were conversing in English and at times the radio was switched on.

The car was stopped near the petrol station at Alawwa and Mr. Anandagoda sent me for a packet of Ardath cigarettes. That brand was not available. I bought a packet of Capstan cigarettes instead. We went on to Kurunegala. We stopped at a junction and Mr. Anandagoda gave me Rs. 2/- to have tea and to buy him a packet of Ardath cigarettes. I drank a cup of tea, smoked half a Three Roses cigarette, bought a packet of Ardath cigarettes and came to the car.

We then went to Nikaweratiya and Mr. Anandagoda sent me to buy a carton of biscuits and a comb of Ambul plantains. He asked me not to delay as I had done at Kurunegala. I made the purchases and got back to the car. We went to Puttalam from there. We stopped near an eating house and all of us went in. The three of them went into a room and I sat at a table outside. I ordered half a plate of rice and ate it. I did not know what they ate. I got up after eating. The waiter gave me a bill for -/65 cents. I went up to the room to give the bill to Mr. Anandagoda. I saw the lady with her elbow on the table resting her forehead on her hand with the thumb and fingers pressed against her temples. She said that she had a headache and asked for a glass of water. I went to the lavatory of the eating house to urinate. When I returned a glass of water had been placed at my table. I gave that to Mr. Anandagoda. I placed it near him on the table. He put his hand into his pocket and took out a small paper packet. He took the glass off the table and holding it below the level of the table emptied the contents of the packet into it and gave it to the lady saying 'Here is the water, Drink it'.

The lady drank it and within a few minutes we went to the car. It was about 9.30 or 10 p.m. then. The lady sat where she had been seated earlier and leaned back placing her head against the side glass. Mr. Anandagoda drove and Mr. Sirisena sat in the places where we had sat earlier. On the way to Puttalam the three of them had been chatting but after we got in at Puttalam the lady took no part in the conversation. I looked back because she was not speaking and as she had leant back. I noticed perspiration on her face. I told Mr. Anandagoda that the lady was sweating and I did not know what happened. He asked me to shut up (Umba kate thiyagana hitapan). I remained silent.

We drove on. I do not know where. The car was driven somewhat faster now. Mr. Anandagoda kept glancing at his wrist watch again and again. We proceeded for about 22 or 23 miles. We stopped at a junction Mr. Anandagoda got down. I also did so. He pointed his finger at something that appeared to be a light about a quarter of a mile away and asked me to see what it was. I walked up to a culvert a distance of about 15 yards. I saw a fire and I thought it was a fire near some dwelling.

I came back to the car and told Mr. Anandagoda that it seems to be a fire near a house. When I came back Mr. Sirisena was seated in the car. One of his legs was outside the car. The lady was stretched out on the rear seat. Her legs lay on Mr. Sirisena's legs. Mr. Anandagoda was holding her feet near her ankles. Her head was where she had been seated. Mr. Sirisena's hand was placed under her neck. The door of the car was open and Mr. Anandagoda asked me to hold it. I held it open. The two of them lifted the lady out and went behind the car and came round it and stopped near the other rear door. She was placed under the car, close to the rear wheel. The legs were underneath the car and the head was out. Mr. Anandagoda got into the car started it and moved it forward and stopped. Mr. Sirisena got into the front seat and I got in behind. The car was reversed. I felt the car bump. It was moved forward again. I felt another bump. We went forward about a fathom and reversed for about a quarter of a mile and turned about and stopped. The two of them drank out of a bottle of brandy they had brought. I was given some too. Mr. Sirisena threatened me saying 'You know I am a man from Paiyagala. If you breathe a word of this to anyone the people of the village will know what to do to you'. Mr. Anandagoda said that if I gave out what had taken place and if they were taken into custody they would implicate me too. If they went to jail they said they would kill me on their return. I asked them to kill me there if they suspected me and promised to keep what happened a secret.

We went forward again for 3 or 4 miles and turned about after we had gone a mile or half mile past a noisy bridge. It made a noise as if something was taken over a heap of iron. We drove very fast for 7 or 8 miles and then at a slower speed. I fell asleep in the rear seat of the car. I used off and on to wake and I got up after we reached Colombo. It was about 4 or 4-30 a. m. then. We drove direct to the Guest House at Moratuwa and the car was parked in the garage and we all got off. Mr. Sirisena went into the Guest House. Mr. Anandagoda said he could not drive me home as he was tired and gave me Rs. 5/- to go home by bus. He asked me whether I remembered what I had been told. I took the money and went away. He asked me to meet him after the 1st of April. I went home by bus.

I forgot to mention earlier than when the lady was left at my brother's place Mr. Anandagoda gave my brother Rs. 10/-. This was given when my brother and I returned to the car after the lady was left at the house.

Tuduwage Don Podisingho Perera

Read over and interpreted by E. Dharmawardene, Interpreter.

I hereby certify that the above record of the statement of Tuduwage Don Podisingho Perera was taken in my presence and contains accurately the whole of his statement and that it was not practicable for me to record it in the Sinhalese language in which it was made.

Sgd, Palitha Weerasinghe
Magistrate,

I believe that this statement was voluntarily made. It was taken in my presence and hearing and read over by me to the person making it and admitted by him to be correct, and it contains accurately the whole of the statement made by him.

Palitha Weerasinghe
Magistrate of the Magistrate's
Court of Anuradhapura.

Interpreted by E. Dharmawardene
Interpreter

24th March 1959.

Palle Talawinna,
Katugastota,
5.8.1958.

"Namo Buddhaya"

Dear Lal,

Can you remember those words you told me that day, that is on the 23rd? Did you not tell me that you are a married man, that you are the father of a four-year old boy and that you have a very modest, gentle, virtuous wife? Did you not also tell me that you are engaged in several wicked, illicit trades and that the woman whom you said you will bring to take away my child born to you will not be your mother but the woman in charge of your uncivilized tarts? Did you not say that you will kill my child the moment you get it? Did you not tell me that you have had similar untoward discourses with about a hundred other girls like me? Thank you for bringing the truth to light. Let us now come to the question of breach of promise. Did you not promise to come on Sunday, the 3rd? But, did you come? Were you not a married man and, besides, a father of a baby boy at the time you carried on with me? As such, what made you say that you will marry me in three years? Is that champion of yours who came with the two of us in the motor car on the 23rd keeping well? Similarly, I hope the Vice Principal, the Head Master and Mr. Perera are also keeping well.

Is not this transaction of letters a great nuisance to both of us? Does it matter to me that you are Lal Atapattu or Lal Anandagoda or Jayalal Anandagoda? What is now left to me is to do my part. Unlike you, I have no wild thugs (such as those who are so mean as to beat up Tamil School Principals). Those whom I have to assist me are respectable, educated people like Civil Servants and Government Agents. If you can take legal steps and prove that my character is bad and that the child is not yours, do so. The words you have uttered and this letter are sufficient to show that your character is bad. You can also give thought to the fact that I can produce persons holding B.A. (Calcutta) degrees to prove that my character is pure.

Do not tear up this letter. I have a copy of this with me.

Yours,
Adeline.

Should there not be a limit to patience, kindness and love? As familiarity is said to breed contempt our clandestine pretences will do no good to either of us. So let us now get ready to come and act in the open. I am ready on my part. You had better get ready yourself. I know I was dear to you once, though not now. But I have come to this decision as I have to act according to the situation. It has been said that "the wicked are poisonous all over" I realise now that there is poison in every part of yours. Your poison can be counteracted only with poison. A man who has fallen into a well will have to climb out through the mouth of the same well and, therefore, do bear in mind that it was because of me that your respect and dignity were saved and that it will be because of me that you will lose them as well.

Adeline.

APPENDIX 'E'

Translation

Palle Talawinna,
Katugastota,
19.1.1959.

The Principal

Sir,

It is now two years and two months since the day Mr. Jayalal Anandagoda, a teacher attached to your school, promised to marry me and forsook me. I am now the mother of a girl two years and five months old born to him. He cares not for me now, nor even for the child. He pays Rs. 10/- or Rs. 15/- to the child once a month or once in two months.

I visited the school too four times to meet him. Although Mr. Anandagoda had deceived me by giving me false information about his name and employment I learnt that he is a teacher in your school and what his correct name is through a teacher attached to a Tamil-Muslim school in Panadura.

I am a young woman who has passed the Senior in Sinhala and referred in English. I studied English at the Rahula College Katugastota. Its Principal is Mr. P. Rajapaksa. Having won the special regards of the Principal and his staff I held the positions of Monitor and Prefect there.

I am well aware that Mr. Anandagoda is engaged in various other businesses besides being a school teacher. He is also given to many corrupt activities. In regard to this matter, I intend to write to the Director of Education next.

Therefore, Sir, I humbly beg of you to discuss this matter with him and hold some inquiry.

Yours obediently,

Adeline Vitharne.

As a result of this crime committed by him I am now unable to sit any Public Examination or seek Government employment. My sister is an ordinary teacher. Even my father fell out with me and went back to the village (Bentara) for this reason. I am now looking after the child with my elder sister's help. Therefore, Sir, I beg of you for a second time to be kind enough to inquire into this matter.

Yours obediently,

Adeline Vitharne.



BY THE SAME AUTHOR

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SRI LANKA

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THE WIRAWILA TANK MURDER CASE

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