

Crime and Society: Protecting Society through Ensuring Rights of Suspects in Criminal Justice System

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The successful balance of rights of the suspect against the rights of the victim and the society at large comprises the core of any criminal justice system. In the past, Sri Lanka's criminal justice system was organized on the basis of Penal Code, Code of Criminal Procedure No. 15 of 1979 and the Departmental orders of the Police. Penal Code interprets crimes and imposes penalties for each particular crime. Basically it is the substantial law. And the procedural side was introduced by the Code of Criminal Procedure, and such a code explains the basic mechanism the justice and law enforcement institutions should comply with and it also provides the proper process. Recently we have seen Prevention of Terrorism Act and Emergency Regulations have intervened with this procedure. This has resulted in the violation of rights of the suspects.

Therefore the author seeks to ascertain the nature in which suspects have been affected within criminal investigation, Process of Arrest and in period of Detaining by police officers. Furthermore it is intended to suggest improvements to the laws relating to this area in order to minimize these types of violations to protect rights of suspect within criminal justice system. And also the author wishes to discuss this issue in relation to recent case law and with legislative enactments. For better improvement of our law, a comparative study with Laws in United Kingdom will be done.

Consequently, considering the rights of suspects in criminal procedure we can examine how their rights get violated in the process of Criminal investigation, Process in Arresting and in detaining periods by police officers.

Key words: *Suspects rights, Criminal justice, Investigation, Arrest, Detaining*