In the Court of Appeal of the Democratic Socialist Republic of SriLanka

	In the matter of an application for Revision
C.A. PHC APN No : 87/2011	State
HC Anuradhapura Case No: 128/07	
	Vs.
	Hewakattuwage Pradeep Premalal Gunarathne

Accused

And Now Between

Hewakattuwage Pradeep Premalal
Gunarathne,
Wella Morana,
Mihinthalaya.

Accused Petitioner

Vs.

Hon. Attorney General,
Attorney General's Department
Colombo 12

Complainant Respondent

Before   :   SISIRA DE ABREW, J.
                        DEEPALI WIJESUNDERA J.

Counsel   :   Shanaka Ranasinghe appears instd. by Suraj
                        Rajapakse for the appellant.
                        Nayomi Wickremasekera SC for the Respondent.

Decided on :   23.03.2012.

SISIRA DE ABREW J.

Both counsel heard in support of their respective cases. This is a petition to revise the order of the learned High Court Judge dated 25.03.2009. The accused in this case was convicted on his own plea on charges of rape. On the first charge of rape he was sentenced to a term of one year rigorous imprisonment suspended for 10 years and to pay a fine of Rs. 2,500/- carrying a default sentence of three months rigorous imprisonment. On the second charge of rape he was sentenced to a term of two years rigorous imprisonment suspended for 10 years and to pay a fine of Rs. 2,500/- carrying a default sentence of three months rigorous imprisonment. Learned Counsel for the accused petitioner submits that the accused petitioner is a government servant and as a result of the said fine being imposed he has lost his job. He has produced document marked P8 in support that position. We note that he was convicted on

charges of rape. In our view, we should not intervene with the sentence imposed by the learned High Court Judge. We refuse to intervene with the punishment imposed by the learned High Court Judge and dismiss the Petition.

Petition dismissed.

JUDGE OF THE COURT OF APPEAL.

DEEPALI WIJESUNDERA J.

I agree.

JUDGE OF THE COURT OF APPEAL