

**IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST  
REPUBLIC OF SRI LANKA**

**CA (PHC) APN No: 75/2011**

HC Moneragala Case No. 539/08

Wadduwa Pathiranage Thilakaratne alias Sudu Seeya  
Prisoner No. O 39308,  
Bogambara Prison,  
Kandy

**Accused – Petitioner**

**Vs.**

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

**Respondent**

And Now

The Democratic Socialist Republic of Sri Lanka

**Vs.**

Wadduwa Pathiranage Thilakaratne alias Sudu Seeya

**Accused**

**C.A.(PHC) APN 75/2011**

**H.C.Moneragala No.539/08**

Before : A.W.A.Salam.J and  
Deepali Jayasundara,J.

Counsel : K.Thiranagama with H.Ratnayake  
For the for Accused-Petitioner.

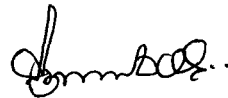
Anoopa de Silva SC for Respondents.

Argued and  
Decided on : 23.10.2012.

**A.W.A.Salam,J.**

State Counsel has no objection to the sentence imposed on the accused – appellant to run concurrently from the date of its imposition. In the circumstances, learned counsel for the accused-petitioner states that he does not wish to continue with his revision application except to urge that the sentences be carried out concurrently.

We have examined the facts that led to the accused being indicted on 3 counts. The charges relating to 2<sup>nd</sup> and 3<sup>rd</sup> counts have taken place in the commission of the offence under count No. 01 and therefore we are in agreement with the Attorney- General for not having any objection to an order being made for the sentence to run concurrently. Accordingly we affirm the sentence subject to the variation that the sentence on all 3 charges should run concurrently from the date of its imposition.



**JUDGE OF THE COURT OF APPEAL**

**Deepali Wijesundra, J.**

I agree.



**JUDGE OF THE COURT OF APPEAL.**

WC/-