

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

**CA (PHC) 01/2008**

HC Welikada Case No: 268/2006

Mohomed Pharuk Mohomed  
No: 47/E, 19,  
Smith Pura,  
Mattakkuliya,  
Colombo 15.

**Appellant**

**Vs.**

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

**Respondent**

C.A. (PHC) 01/2008

H.C. Welikada Case No: 268/2006

Before : Sisira de Abrew, J. &  
P.W.D.C. Jayathilaka, J.

Counsel : S. Amarasekera for the Accused-  
Appellant.

Dappula de Livera DSG. for the  
respondent.

Argued &  
Decided on : 15.02.2013

\*\*\*\*\*

Sisira de Abrew, J.

Heard both counsel in support of their respective cases. The Accused-Appellant in this case was convicted for being in possession of 6.1 grams of heroin. Learned High Court Judge imposed the life imprisonment on the Accused-Appellant. According to the prosecution case when the Police party went to a house at Mattakuliya, they found the Accused-Appellant who was inside the house dropping a parcel into a plastic container. When they examined the parcel they found three

parcels of heroin, one scale and some aluminum foils. The Government Analyst Report has confirmed that the weight of the heroin is 6.1 grams of heroin. The Accused-Appellant in his dock statement stated that he has no evidence to give. He further stated that he has been inside the Prison for 09 years. He did not deny the charge in the dock statement. When we consider the evidence led at the trial, we are of the opinion that the case has been proved beyond reasonable doubt and that there are no grounds to interfere with the judgment of the learned High Court Judge. We therefore affirm the conviction and the sentence and dismiss the appeal.

*Appeal dismissed.*

JUDGE OF THE COURT OF APPEAL

P.W.D.C. Jayathilaka,J.

I agree.

JUDGE OF THE COURT OF APPEAL

Jmr/-