

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

CA.No.109/2012.

HC.Badulla No. 205/2008

Rathnayake Mudiyanseelage Nihal Kapila
No. 14 Post, Wekada Wewa,
Raja Mawatha,
Buttala.

Accused-Appellant

-Vs-

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

Respondent

C.A. No.109/2012

H.C.Monaragala No. 205/2008

BEFORE : SISIRA J. DE ABREW, J. &
P.W.D.C. JAYATHILAKA, J.

COUNSEL : Accused-Appellant is absent and
unrepresented.
Samadari Piyasena SC for the Respondent

ARGUED AND

DECIDED ON : 19th July, 2013

SISIRA J. DE ABREW, J.

The Jailor of Welikada Prisons by his letter dated 3rd of April 2013 addressed to the Registrar of this Court, has informed that the accused-appellant in this case is dead. Learned State Counsel submits that she, after making inquiries from the relevant authorities, has received information to the effect that the accused-

appellant is dead. She confirms the death of the accused-appellant.
In the circumstances, we make order abating the appeal.

Appeal abated.

JUDGE OF THE COURT OF APPEAL

P.W.D.C. JAYATHILAKA, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Kwk/=