

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

**C.A. Appeal No. 82/2009**

**HC. Trincomalee No. 2195/04**

Mohamed Haneefa Naleem.

3<sup>rd</sup> Accused-appellant.

-Vs-

Republic of Sri Lanka

Respondent

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

**Counsel:**                      **Buddika Gamage for the 3<sup>rd</sup> accused-appellant.**  
**Rajinda Jayaratne SC for the A.G.**

**Argued &**

**Decided on:**                      **23.10.2013**

**\*\*\*\***

**Sisira J. de Abrew, J.**

The 3<sup>rd</sup> accused-appellant Mohamed Haneefa Naleem is present in Court produced by the Prison Authorities. Counsel appearing for the 3<sup>rd</sup> accused-appellant makes an application to

withdraw the appeal. Counsel further makes an application to implement the sentence from the date of conviction namely 20.02.2009. Counsel has also filed a motion dated 23.09.2013. Both counsel admit that the accused has not been released on bail after the conviction. The application for withdrawal of the appeal of the 3<sup>rd</sup> accused-appellant is allowed and the appeal of the 3<sup>rd</sup> accused-appellant is dismissed.

We direct the Prison Authorities to implement the sentence of the 3<sup>rd</sup> accused-appellant from the date of conviction namely 20.02.2009.

Judge of the Court of Appeal

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

I agree.

Judge of the Court of Appeal

Kpm/