

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

Court of Appeal No: CA 91/11

High Court/Colombo Case No. HC 4889/2009

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

Complainant

Vs.

Thanthrige Priyantha Gamini Peiris

Accused

And Now

Thanthrige Priyantha Gamini Peiris
No: 195/B, Elawata Rauma
Obesekerapura.
(Presently at Remand Prison)

Vs.

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

Respondent

C.A. No. 91/2011

H.C. Colombo No. HC 4889/09

BEFORE : VIJITH K. MALALGODA PCJ (P/CA) &
H.C.J. MADAWALA, J.
COUNSEL : Rakitha Abeysinghe for the Accused-Appellant.
Thusith Mudalige SSC for the respondent.

ARGUED AND

DECIDED ON : 03rd June, 2015.

VIJITH K. MALALGODA PCJ (P/CA)

In this case the accused-appellant was indicted before the High Court of Colombo on two counts under the Poisons Opium and Dangerous Drugs Ordinance for having being in possession and trafficking of quantity less than 1 gram of heroin. After full trial, the accused-appellant was convicted by the learned High Court Judge and imposed 7 years rigorous imprisonment on both counts with a fine of Rs. 50,000/- and in default a period of 01 year rigorous imprisonment. The above two sentences were ordered to run consecutively and the learned High Court Judge in his order had given reasons as to why he decided to impose the maximum and ordered them to run consecutively. The accused-appellant has committed this offence whilst

consecutively after the operation of the main sentence. Subject to the above variation in the sentences the appeal stands dismissed.

At this stage the Counsel makes an application with regard to the operation of the sentences. Court makes order that the operation of the sentences to commence from the date of conviction i.e. 24-05-2011.

The Registrar is directed to forward this case record together with this order to the Registrar of the High Court of Colombo in order to implement this sentence.

PRESIDENT ~~OF THE~~ COURT OF APPEAL

H.C.J. MADAWALA, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Kwk/=