

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

CA No. 117/2013

H.C. Puthlam No.93/2004

J.S. Sunil Sarathpulle alias Mahathun
Norochohole

Appellant

Vs.

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

Respondent

C.A.No117/2013

H.C.Puthlam No.93/2004

Before : H.N.J.Perera J. &
K.K.Wickremasinghe,J.

Counsel : M.Yoosuff Nazar for the Accused-Appellant
Deelipa Peiris SSC for the A.G.

Argued and

Decided on : 03.08.2015.

H.N.J.Perera,J.

Accused - Appellant present in Court produced by the Prison Authorities.

Counsel for accused-appellant informs Court that he has instructive to withdraw this appeal. On being questioned by Court, accused-appellant states that he wishes to withdraw this appeal. At this stage, Counsel for the accused-appellant moves Court to Act under Section 359 of the Criminal Procedure Code and to implement the sentence from the date of conviction. Learned Senior State Counsel has no objection to this application. Considering the facts and

circumstances of this case, we direct the learned High Court Judge to implement the sentence from the date of conviction namely 24/07/20013 and to issue a fresh committal accordingly. The fine imposed and the compensation ordered by the learned High Court Judge should stand. Subject to the said variation in the sentence the appeal is dismissed.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

K.K.Wickremasinghe,J.

I agree.

JUDGE OF THE COURT OF APPEAL

WC/-