

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

C.A.247/2013

H.C. Kalutara Case No. PR 1724

Priyanka Chandana Hettiarachchi

Appellant

Vs.

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

Respondent

C.A.247/2013 : H.C. Kalutara Case No. PR 1724

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

Counsel : Dr. Ranjit Fernando for the Accused-Appellant
Shanil Kularatne,S.S.C. for the A.G.

Argued &

Decided on : 31.08.2015

H.N.J. Perera,J.

Counsel for the Accused Appellant informs Court that he will confine this appeal to the sentence imposed on the accused-appellant by the learned High Court Judge. There was no animosity between the parties at the time of the incident and that they were very young people at that time and at the same time the appellant has no previous convictions and the fact that he is now 45 years of age and has three children and the fact that he is not contesting the conviction in this case be considered and that the sentence imposed by the learned High Court Judge be reduced in this case.

At this stage learned counsel for the respondent leaves the matter of sentencing in the hands of the Court and inform that the evidence in this case does disclose that there was animosity between the parties at the time of the incident.

Considering the facts and submissions made by Counsel for the Accused Appellant we set aside the term of imprisonment imposed by the learned High Court Judge on the Accused Appellant and imposed a term of 08 years Rigorous Imprisonment on the Accused Appellant. The fine imposed by the learned High Court Judge and the sentence imposed in lieu of the said fine to stand.

We further direct that the sentence to be effective from the date of conviction.

Subject to the variation of the sentence, the appeal is dismissed.

JUDGE OF THE COURT OF APPEAL

K.K. Wickramasinghe,J.

I agree

JUDGE OF THE COURT OF APPEAL

Cr/-