

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

CA 71/2014
HC BADULLA 27/2009

T.A. Suranga Sanjeewa Sampath
Welimada.

Appellant

Vs.

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

Respondent

CA 71/2014

HC BADULLA 27/2009

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

Counsel : Nishshanka Nanayakkara with Dushantha Kularathne for
the accused-appellant.
Shanaka Wijesinghe DSG for the AG.

Decided on : 08.10.2015

H.N.J. PERERA, J.

Accused-appellant is present in Court produced by the Prison Authorities.

Counsel for the accused-appellant moves to withdraw this appeal and makes an application under Section 359 of the Criminal Procedure Code to back date this sentence from the date of conviction.

Counsel for the respondent has no objection to the said application.

After considering the submissions made by the counsel for the accused-appellant we allow the application to withdraw this appeal and we back date the sentence and direct the sentence be implemented from the date of the conviction namely 09.07.2014.

Subject to the said direction, appeal is dismissed.

JUDGE OF THE COURT OF APPEAL

K.K. WICKRAMASINGHE, J.

I agree.

JUDGE OF THE COURT OF APPEAL

KRL/