

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

Ladupath Vithanalage Ariyaratne

C.A.No.300/09

H.C.Panadura No.1681/03

Accused-Appellant.

Vs.

Hon. Attorney General

Attorney General's Department

Colombo 12.

Complainant-Respondent

C.A.No.300/2009

H.C.Panadura No.1681/03

Before : M.M.A.Gaffoor,J. and
K.K.Wickremasinghe ,J.

Counsel : Tenny Fernando for the Accused-Appellant.
Ayesha Jinasena S.D.S.G.for A.G.

Argued on : 10/3/2016

Judgment delivered on : 29/3/2016

K.K.Wickremasinghe,J.

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

Learned Counsel appearing for the accused-appellant makes an application to withdraw this appeal. He further makes an application to implement the sentence from the date of conviction. Learned S.S.C. has no objection to the application made by counsel for back dating the sentence, but further states that the sentence was imposed on 20/08/2010.

Counsel for the Accused- Appellant brings to the notice of Court that the accused had been in remand for a long period of time. Counsel for the Respondent leaves the sentence in the hands of Court.

After considering the submissions made on behalf of the Accused-Appellant, we allow the application of the counsel for the accused-appellant to withdraw the appeal. We also direct that the sentence be implemented from the date of the sentence namely, 20th August 2010. Accordingly, subject to the said direction the appeal is dismissed.

We direct the Prison Authority to implement the sentence from the date of sentencing by the learned High Court Judge.

Appeal dismissed subject to the above direction.

JUDGE OF THE COURT OF APPEAL

M.M.A.Gaffoor,J.

I agree.

JUDGE OF THE COURT OF APPEAL

Wc/-