

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

CA 234/14

T.Mohamed Ramzi

(Appellant)

Vs.

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

(Respondent)

C.A. No.234/2014 - H.C. Colombo Case No. HC 1490/2003

BEFORE : S. DEVIKA DE L. TENNEKOON J AND
S. THURAIRAJA PC J

COUNSEL : Indica Mallawaratchi for the Accused-Appellant
Parinda Ranasinghe SDSG with D. S. Soosaithas
SSC for the AG

ARGUED AND
DECIDED ON : 26.09.2017

S. THURAIRAJA PC J

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

Counsel who is appearing for the accused-appellant moves to withdraw the appeal and makes an application under Section 359 of the Criminal Procedure Code to implement the sentence from the date of conviction and further submits that the accused-appellant is in remand from the date of conviction.

Senior Deputy Solicitor General Mr. Parinda Ranasinghe has no objection for the withdrawal and he has no objection for backdating the sentence from the date of conviction.

Considering the application made by the Counsel for the accused-appellant the Court allows the withdrawal of the appeal and dismiss the appeal. We direct the Prison Authorities to implement the sentence from the date of conviction namely, 23.05.2014. All other conditions will stand as it is.

Registrar is hereby directed to return the case record to the Registrar of High Court of Colombo.

Appeal dismissed

JUDGE OF THE COURT OF APPEAL

S. DEVIKA DE L. TENNEKOON J

I agree.

JUDGE OF THE COURT OF APPEAL

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