

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

Court of Appeal case no : CA HC 240/2016

Rev. Galapatha Wajira Buddhi thero

Complainant

Vs.

Hon Attorney General
Attorney General's Department
Colombo 12

Respondents

C. A No.240/2016

H.C. Kegalle No.3444/2014

Before : S.Devika de L. Tennekoon , J. and
S.Thurairaja,PC. J.

Counsel : Mayuri Wijesooriya for the Accused- Appellant
Dilan Rathnayake DSG for A.G.

Argued and

Decided on : 03.10.2017

S.Thurairaja,PC. J.

Accused-Appellant present in Court on bail.

Heard submissions of both counsel.

The Counsel for the Accused-Appellant submits that she is not contesting the conviction and making an application to reconsider the fine to be converted to a State Cost and makes an application to withdraw the appeal and the Counsel makes submission in mitigation. Learned Deputy Solicitor General submits that the offence is serious but they leave it the discretion of the Court. We considered the facts of the case and the submissions made by the both counsels. Considering the fact that the way the offence was committed and the mode of throwing acid prick our conscious. Therefore considering all circumstances, we allow the Accused-

appellant to withdraw the appeal. We dismiss the appeal and we make no order regarding any alteration of the sentence. Conviction and the sentence is confirmed.

Registrar is directed to send the case record back to the Registrar of the High Court of Kegalle.

JUDGE OF THE COURT OF APPEAL

S.Devika de L. Tennekoon,J.

I agree.

JUDGE OF THE COURT OF APPEAL

Wc/-