

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

Court of Appeal Case No : CA HC/68/2016

W.B.S.Randeera.

Jathika Niwasa,

No.09,

Kalat Gana,

Galle.

Petitioner

Vs.

Hon Attorney General.

Attorney General's Department,

Colombo 12.

Respondents

CA 68/ 2016

HC Kurunegala Case No. HC 99/2007

BEFORE : **S. Devika de L. Tennekoon, J**

S. Thurairaja, P.C, J

COUNSEL : Janaka Gamage for the Accused Appellant.

Dileepa Pieris, DSG for the AG.

DECIDED ON : 11.12.2017

S. Thurairaja, P.C, J

Accused Appellant is present in Court, produced by the Prison Authorities.

Counsel for the Accused Appellant moves to withdraw the appeal.

The Accused Appellant who is present in Court also confirms, that he wants to withdraw the appeal. The Counsel for the Accused Appellant pleads with the Court, that the Accused Appellant is in remand from the date of conviction. Therefore, he wants the sentence to be implemented from the date of conviction.

The Deputy Solicitor General who is present in Court has no objections to implement the sentence from the date of conviction, on the basis that he is incarcerated from the date of conviction.

Considering the submissions of both Counsels the Court allows the Accused Appellant to withdraw the appeal.

Accordingly, the appeal is dismissed.

We direct the Prison Authorities to implement the sentence from the date of conviction namely, 31.05.2016 because he was in remand from that date.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

S. Devika de L. Tennekoon, J

I agree

JUDGE OF THE COURT OF APPEAL

YD/-