

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

Court of Appeal Case No : CA HC/271-271A/2014

Bogahawaththage

Narada Fernando

Accused - Appellant

Vs.

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

Respondents

C.A 271-271A/2014

H.C. Colombo Case No: HC B 1721/2007

Before : Deepali Wijesundera,J. &
Achala Wengappuli,J.

Counsel : Ranjan Mendis with Ashoka C. Kandambi
for the 2nd accused-appellant.
Wasantha Perera SSC. For the respondent.

Argued &

Decided on : 03.05.2018

Deepali Wijesundera,J.

2nd Accused-Appellant has been convicted in the High Court of Colombo under Section 19(b) read with 25(2) of the Bribery Act for the 1st charge and he has been convicted to three years Rigorous Imprisonment. For the 2nd, 3rd, 4th, 5th, 6th, 7th & 8th charges he has been charged and convicted under Section 25(2) and 19 C of the Bribery Act and he has been ordered to pay a fine of Rs: five Thousand and the default term of six months. This appeal is from the said conviction and sentence.

Learned counsel for the appellant moves that since they are not canvassing the conviction, the sentence be varied. Learned DSG. is appearing for the respondent informs Court that they have no objections to the appellant's counsel's application and the suspended sentence being imposed.

Considering the submissions of both parties, we vary the sentence and affirm the conviction. The conviction for the 2nd charge will remain as it is. The sentence for the 7th to 09th charges are reduced to six months Rigorous Imprisonment for each charge and suspended for five years .

Subject to the above variation the sentence and the conviction is affirmed .

Registrar is directed to convey this order to the Registrar of the High Court of Colombo.

JUDGE OF THE COURT OF APPEAL

Achala Wengappuli,J.

I agree.

JUDGE OF THE COURT OF APPEAL

Jmr/-