

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

In the matter of an appeal under and in terms of Section 331 of the Criminal Procedure Code to be read with Article 138 and 154 of the Constitution of the Democratic Socialist Republic of Sri Lanka

**Court of Appeal Case No: -**

**CA-HCC-0121-22**

**High Court of Panadura Case No: -**

**3890/2019**

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

**COMPLAINANT**

**Vs.**

Diyagy Arachchige Abeyratne Perera

**ACCUSED**

**AND NOW BETWEEN**

Diyagy Arachchige Abeyratne Perera

**ACCUSED-APPELLANT**

**Vs.**

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

**RESPONDENT**

**Before** : - **Hon. Justice Menaka Wijesundera**  
**Hon. Justice B. Sasi Mahendran**

**Counsel** : - P.D.D. Harshana Ananda, Assigned Counsel for the  
Accused-Appellant.  
Ridma Kuruwita, S.C. for the Respondent.

**Decided on** : - 04.07.2023

**Hon. Justice Menaka Wijesundera**

Accused-Appellant is produced via zoom platform by the Prison Authorities.

When this matter was taken up for argument, the learned Counsel appearing for the Accused-Appellant said he is only contesting the sentence and not the conviction.

Court inquired from the Accused-Appellant who is produced via zoom link and he confirmed the same.

The learned State Counsel appearing for the Respondents had no objection for the application.

Submissions of both parties considered.

The Court alters the sentence as follows;

01. For the 01<sup>st</sup> charge, 07 years Imprisonment imposed.
02. For the 02<sup>nd</sup> charge, 07 years Imprisonment imposed from the date of conviction which is 18.05.2022 and both sentences to run concurrently.
03. The rest of the sentence to remain the same.

Subject to the said variations, the appeal is dismissed.

**JUDGE OF THE COURT OF APPEAL**

**Hon. Justice B. Sasi Mahendran**

I agree

**JUDGE OF THE COURT OF APPEAL**

SMR/-