

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

CA 170/2008

High Court Galle Case No:2291

Hon. Attorney General.
Attorney Generals' Department,
Colombo- 12.

Complainant

Vs.

Mohammed Nisham
(Accused)

AND NOW

Mohammed Nisham

Accused-Appellant

Vs.

Hon. Attorney General,
Attorney Generals' Department,
Colombo- 12.

Complainant-Respondent

Before : Sisira de Abrew J. &
P.W.D.C. Jayathilaka, J.

Counsel : Razik Zarook P.C. with Amila
Palliyage for the Accused-Appellant.

Dappula de Livera DSG for the
State.

Argued & decided on : 22.02.2013.

Sisira de Abrew J.

The Accused-Appellant produced by the Prison Authority is present in court.

Heard both counsel in support of their respective cases. Whilst DSG Livera making submissions, Mr. Zarook PC who is appearing for the Accused -Appellant made an application to withdraw the appeal. The application for the withdrawal of the appeal is allowed. Appeal is accordingly dismissed. Learned President Counsel makes an application to implement the sentence from the date of conviction (13.11.2010). Both counsel admit that he has not been released on bail after his conviction. We

direct the Prison Authorities to implement the sentence from the date of conviction namely 13.11.2008.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

P.W.D.C Jayathilaka.

I agree.

JUDGE OF THE COURT OF APPEAL

Vkg/-