

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

S. Priyangika Soyza,

Accused-Appellant

Vs.

The Hon. Attorney General,

Respondent

C.A. 113/2012

H.C. Panadura Case No:12162/98

Before

: Sisira J. de Abrew, J. (Acting P/CA) &  
P.W.D.C. Jayathilaka, J.

Counsel

: Nagitha Wijesekera for the Accused-Appellant.  
Dilan Rathnayake SSC. for the respondent.

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

Argued &

Decided on

: 29.01.2014

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Sisira J. de Abrew, J. (Acting P/CA)

Heard both counsel in support of their respective cases. The accused-appellant in this case was convicted for being in possession of 1.181 grams of heroin and was sentenced to a term of 9 years Rigorous Imprisonment and to pay a fine of Rs: 100,000/-, carrying a default sentence of 6 months

imprisonment. Being aggrieved by the said conviction and the sentence she has appealed to this Court. Learned counsel appearing for the accused-appellant submits that he does not challenge the conviction. He only submits that the sentence imposed by the learned trial Judge is excessive. We note that after the accused-appellant was released on bail, she absconded for two years and one month. Accused-appellant was found guilty by the learned trial Judge after trial. According to the prosecution case heroin was found in a horlicks bottle. Inside the bottle there were 32 heroin packets and marbal size pouches of heroin. This evidence shows that she was also engaged in trafficking. When we consider these matters, we feel that we should not interfere with the sentence imposed by the learned trial Judge. Learned Counsel makes an application to implement the sentence from the date of sentencing by the learned trial Judge. Both counsel admit that the accused-appellant, after conviction, has not been released on bail. We direct the Prison Authorities to implement the sentence from the date of sentencing by the learned trial Judge. Appeal of the appellant is dismissed.

*Appeal dismissed.*

Acting President of the Court of Appeal

P.W.D.C. Jayathilake, J.

I agree.

Judge of the Court of Appeal

Jmr/-