

**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(1) of the Code
of Criminal Procedure Act No.15 of
1979

Officer-in-Charge,
Criminal Investigation Division,
Sri Lanka Police,
Kodikamam

Complainant

Case No: CA 179/2016

Vs.

R.M. Chandrasena,
No.53,
Ihala Imbulgoda,
Imbulgoda

Accused

And Now:-

R.M. Chandrasena,
No.53, Ihala Imbulgoda,
Imbulgoda

Accused-Appellant

Vs.

The Attorney General,
Attorney General's Department,
Hulftsdorp Street,
Colombo-12

Respondent

CA 179/2016

HC-ANURADHAPURA-165/2009

Before : **Deepali Wijesundera, J. &
L.U.Jayasuriya, J.**

Counsel : Mohoamed Rafi for the Accused Appellant
Rohantha Abeysuriya, DSG for AG

Argued &

Decided on : 28.07.2017

Deepali Wijesundera, J.

Accused Appellant was indicted in the High Court of Anuradhapura for the murder of one Kandepitawaththe Gedara Lal Sisira Kumara. After trial, he has pleaded guilty for the lesser offence which is under Section 297 of the Penal Code, culpable homicide not amounting to murder.

He was sentenced to 8 years Rigorous Imprisonment and a fine of Rs. 5000/-with a default term of 3 months and also he has been ordered to pay Rs. 200,000/- as compensation to the family of the deceased with a default term of 2 years.

Counsel for the Appellant informs court that he is only canvassing the sentence and not the conviction since the appellant has pleaded guilty in the High Court.

Considering the submissions made and the evidence given in this case, we decide to reduce the sentence from 8 years to 6 years

and the sentence to commence from the date of conviction which is 20.10.2016. Other conditions imposed will remain as it is.

subject to the above variations, the appeal is dismissed.

JUDGE OF THE COURT OF APPEAL

L.U. Jayasuriya, J.

I agree.

JUDGE OF THE COURT OF APPEAL

LA/-