

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

Court of Appeal Case No : CA HC/120/2015

S.Jeewaseelan

Thumbalayi,

Alaweddi .

Petitioner

Vs.

Hon Attorney General.

Attorney General's Department,

Colombo 12.

Respondents

BEFORE : S. Devika de L. Tennekoon, J
S. Thurairaja P. C. J

COUNSEL : Dushith Johnthasan for the Accused- Appellants.
D. S. Soosaithas, SSC for A. G.

ARGUED AND
DECIDED ON : 27.10.2017

S. Thurairaja P. C. J

Mr. Johnthasan, the Counsel for the Accused appellant is present in Court and he tenders his apologies for not being present on the last occasion. He moves Court that his client wants to withdraw this appeal. On the request of the Counsel the Court to directly inquires from the Accused Appellant.

Since the Accused Appellant cannot speak in Sinhala the Court communicate with the Accused Appellant with the assistance of Senior State Counsel, Mr. D. S. Soosaitas.

The Accused Appellant confirms and moves to withdraw the appeal. Accordingly withdrawal of the appeal is allowed and the appeal is dismissed. The Counsel moves Court that since the Accused was incarcerated from the date of the conviction, to implement the Sentence from the date of conviction.

State has no objections. Since the Accused Appellant was incarcerated from the date of conviction the Court directs the Prison Authorities to implement the sentence from the date of conviction namely, 29.07.2015.

Registrar is hereby directed to return the case record to the Registrar of High Court of Jaffna for implementation of the Sentence.

Appeal is dismissed.

JUDGE OF THE COURT OF APPEAL

S. Devika de L. Tennekoon, J

I agree

JUDGE OF THE COURT OF APPEAL

YD/-