

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

Court of Appeal Case No : CA HC/253/2007

Imiyawage Shantha Sanjeewa Perera

Petitioner

Vs.

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

Respondents

C.A 253/2007**HIGH COURT OF BATTICALOA 1708/00**

BEFORE : Deepali Wijesundera J. &
L.U. Jayasuriya, J.

COUNSEL : Indika Mallawarachchi for the Accused-appellant.
P. Kumararathnam DSG for the State.

ARGUED &

DECIDED ON : 18.01.2018.

DEEPALI WIJESUNDERA, J.

Accused appellant was convicted under Section 364(2)(e) of the Penal Code as amended by act No 22 of 1995. The second charge was also under the same section, 3rd, 4th, 5th and 6th charges are also under the same section.

After the trial he was convicted for the 1st and 2nd charges and acquitted on the other charges on 13.11.2007, he was imposed a sentence of 10 years rigorous imprisonment for both counts to run consecutively.

Counsel for the Accused Appellant informs Court that they are only contesting the sentence and not the conviction. We take into account that it has taken 7 years for this brief to be translated to English by the official translating branch of the Court of Appeal. Considering the evidence and the time taken to translate this appeal, we decide to affirm the conviction and the sentence. Sentences should run concurrently. Subject to the above variation the conviction and sentence is affirmed and the appeal is dismissed.

JUDGE OF THE COURT OF APPEAL

L.U. JAYASURIYA, J.

I agree.

JUDGE OF THE COURT OF APPEAL.

Vkg/-