

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

In the matter of an appeal in terms of section 331
(1) of the code of Criminal Procedure Act No; 15
of 1979.

CA 145-148/2015

HC PANADURA-HC

2266/06

Hon. Attorney General

Attorney General's Department

Colombo 12.

(Complainant)

Vs.

1. Lokukawadihennadige Roshan De Silva.
2. Mudiyanseelage Jayasena.
3. Sinhala Virudawalage Deepathi Shantha.

(Accused)

And

1. Lokukawadihennadige Roshan De Silva.
2. Mudiyanseelage Jayasena.
3. Sinhala Virudawalage Deepathi Shantha.

(Accused-Appellant)

Vs.

Hon. Attorney General

Attorney General's Department

Colombo 12.

(Respondent)

AND NOW

In the matter of an application under and n terms of the section 358 (1) and (2) of the Code of Criminal Procedure Act No: 15 of 1979 in respect of the conviction of the 1st Accused-Appellant who is now deceased.

1. Renuka Damayanthi Kalukeerthi
No. 409A, Nanda De Silva Mawatha,
Kurana,
Katunayake.
(Petitioner)

Vs.

Hon. Attorney General
Attorney General's Department
Colombo 12.
(Respondent)

Before : **Hon. Justice K. K. Wickremasinghe**

Hon. Justice Devika Abeyratne

Counsel : Darshana Kuruppu with Aruna Gamage and Sajini Elvitigala
for the 2nd Accused-Appellant.
Dileepa Peiris, DSG for the State.

Decided on : 30.06.2020

Hon. Justice K.K. Wickremasinghe

Counsel for the 2nd Accused-Appellant informs Court that he has received instructions from the Appellant to withdraw the appeal against the conviction and to make submissions to backdate the sentence from the date of the conviction and the sentence.

Therefore, the conviction against the 2nd Accused-Appellant is affirmed.

Learned Senior Deputy Solicitor General conceded the application to backdate the sentence. Accordingly, sentence of 08 years Rigorous Imprisonment is backdated to run from the date of conviction namely, 18.06.2015. The rest of the sentence will remain unchanged.

Registrar is directed to send a copy of the order to the relevant High Court of Panadura and the Prison Authorities.

Case against the 1st and 3rd Accused-Appellants is fixed for argument on 09.09.2020.

JUDGE OF THE COURT OF APPEAL

Hon. Justice Devika Abeyratne

I agree.

JUDGE OF THE COURT OF APPEAL

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