

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

Muthunagonnage Mervin
Nishantha Fernando.

Accused-Appellant.

H.C.C. No.237/2015

Vs.

HC Chilaw No.150/2006

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

Complainant-Respondents -

Respondents.

Before : Hon. Justice K.K.Wickremasinghe

Hon. Justice Priyantha Fernando

Counsel : Nalin Ladduwahetty P.C. with Lakni de Silva for the
Accused-Appellant.

Lakmali Karunanayake D.S.G. for the Respondent.

Decided on : 17/02/2020

Hon.Justice K.K.Wickremasinghe.

Accused-Appellant present in Court produced by Prison
Authorities.

Learned President's Counsel moves to withdraw the appeal
against the conviction and makes an application to bring down the

sentence and also to backdate the sentence from the date of conviction.

Considering the facts of this case, Learned Deputy Solicitor General concedes to bring down the sentence to 7 years Rigorous Imprisonment. Hence we reduce the sentence of imprisonment to 7 years.

Hence upon withdrawal, conviction against the Accused – Appellant is affirmed. Accordingly appeal against the conviction is dismissed.

Further, we back date the sentence of 7 years Rigorous Imprisonment to run from the date of conviction, namely 13/08/2015. The rest of the sentence stands as it is.

Registrar is directed to send copies of this order to the relevant High Court and the Prison Authorities.

JUDGE OF THE COURT OF APPEAL

K.Priyantha Fernando , J.

I agree.

JUDGE OF THE COURT OF APPEAL

WC/-