

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

Court of Appeal Case No : CA HC/03/2012

Kandaiah Karunakaran.
Thunane West,
Karaweddi

Petitioner

Vs.

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

Respondents

C.A 03/2012

High Court of Jaffna 1197/2009.

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

COUNSEL : V. Ranasinghe for the Accused-Appellant.
P. Kumararathnam DSG for the State.

Argued &

Decided on : 12.01.2018.

DEEPALI WIJESUNDERA, J.

The accused appellant has been indicted in the High Court of Jaffna under Section 296 of the Penal Code for the murder of a person named Karunakaran Pushpalogini. After trial he has been convicted under Section 297 of the Penal Code for culpable homicide not amounting to murder and sentenced to 12 years rigorous imprisonment and a fine of Rs.5000/- was imposed with a default term of 06 months.

Counsel for the accused-appellant informs court that they are not contesting the conviction but moves that the sentence be reduced.

Learned Deputy Solicitor General informs court that he has no objections and court may make a suitable order. Since the appellant has been on remand for a long period of time we decide to reduce the sentence to six years rigorous imprisonment, the fine imposed will remain as it is. The sentence should begin from the date of conviction which is 16.01.2012. Subject to the above variation the judgment of the High Court is affirmed and the conviction varied.

JUDGE OF THE COURT OF APPEAL

L.U. JAYASURIYA, J.

I agree.

JUDGE OF THE COUR OF APPEAL.

Vkg/-