

## Final Report on Conviction

File Number : BC/1687/2016, R/42/2016  
High Court case Number : HCB 07/2019  
Name of the Complainant : Thiwanka Lahiru Rupasingha  
Date of complaint : 01/06/2016  
Name of the Accused : Hewa Batagodage Jagath  
Designation of the Accused : Senior Assessor ,Regional Revenue Department ,  
Matara  
Date of Raid : 02/06/2016  
Name of the Investigator : Inspector of Police Mr. Gunewardhane of Raid 11  
Counsel of Draft Indictment : Assistant Director Legal Mrs. Dushmanthi Rajapaksha  
Name of the Prosecutor : Assistant Director Legal Sashrika Chandrawansha  
Date of conviction : 13/03/2020  
Appeal Court Case No : CA/HCC/0021/2020

Hon.High Court Judge Mr.Gihan Kulathunga delivered the Judgement on 13/03/2020 by convicting the Accused for all counts

Synopsis of the sentence as follows;

- Accused was convicted on all charges.
- 5 years Rigorous imprisonment imposed on Accused for all counts consecutively and should run it concurrently.
- Rs.5000/- fine imposed on all counts consecutively ,total fine was Rs. 20000/-
- Rs. 10000/-Additional fine imposed on accused under sec.26 of the Bribery Act.
- Very special commitment of the order is to pay Rs.25000/- compensation to the complainant under the provisions of Criminal Procedure Code Act.

### Chargers for Perjury

In Addition to the Judgement, The Hon. High Court Judge decided to file the Charge sheet against Prosecution Witness 04 Densil Thelikada Palliyaguruge for giving false evidence. Aforementioned charge sheet filed by the Hon. High Court Judge on 19/06/2020 proceeding sec. 449(1) of the Criminal Procedure Code.

After the Oral Submissions by both parties Hon. High Court Judge pronounced the Order and Pw 04 convicted to the charge of perjury on 03/07/2020.

Sentence imposed on Pw 04 as follows;

- 1 year Rigorous Imprisonment imposed on pw 04 and it suspended for 15 years.
- Rs.1000/- State Cost should be paid, if any default 04 months simple imprisonment imposed on Prosecution Witness 04.
- Proceeding sec 303 (8) of the CPC the employment of pw 4 is not terminated.

Reported by

**Sashrika Chandrawansha**

**Prosecuting Counsel**

Assistant Director Legal

21/10/2020