

Nanayakkara v. The State (S.C. 4/73 {Bribery})-D. C. Nuwara Eliya, 51 (3/CA) Decided on 25/02/1974.

Bribery Act (Cap. 26)-Conviction under section 16 or section 19- Sentence-Requirement of fine in addition to imprisonment.

Samerawickrame, J., With Udalagama, J and Sharvananda, J. agreeing

Learned counsel for the accused-appellant had not urged before us any good ground why the conviction of the appellant should be set aside in the case. "When a person is convicted of an offence falling under section 16 or section 19 of the Bribery Act (as amended), a sentence of a fine is mandatory in addition to the sentence of imprisonment.

Held;

A sentence of a fine in addition to the sentences of imprisonment having regard to the provisions of Sections 16 and 19 of the Bribery Act could be imposed.

Impose a fine on each of the 4 counts. The District Judge will take action in terms of Sections 243, 244 and 245 of the Administration of Justice Law in respect of the recovery of the fines imposed. The penalty imposed by the learned District Judge will stand subject to the variation in sentence.

Appeal was dismissed, Subject to the variation in sentence.