

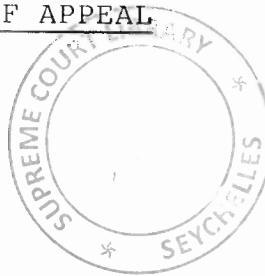
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IN THE SEYCHELLES COURT OF APPEAL

A. MAMODE

V.

THE REPUBLIC



APPELLANT

RESPONDENT

Criminal Appeal No.1 of 1991

Mrs. M. Twomey for the Respondent
Appellant Mamode in person

JUDGMENT OF THE COURT

The appellant had pleaded guilty to the count of robbery with violence and to the count of attempted rape. He had a long record of previous convictions, a number of which were relevant to the charge of robbery. The Chief Justice sentenced the appellant to 8 years for robbery and 2 years for attempted rape.

The Chief Justice considered the matter carefully and imposed the sentences he did. He ordered that they run consecutively. Mrs. Twomey stated they were distinct offences, although committed on the same day.

However we think that the offences though distinct, were committed in the course of the same transaction. The appellant deserved the severe sentence of 8 years imposed on him. We do not think there are any circumstances here which call for the two sentences to run consecutively. We therefore make this variation and order that the sentences should run

concurrently. The appellant will therefore serve in effect 8 years in prison, otherwise the appeal is dismissed.

A. Mustafa
.....A. Mustafa
President

H. Goburdhun
.....H. Goburdhun
Justice of Appeal

(.de. d'Arifat)
.....C. de L. d'Arifat
Justice of Appeal

8th October, 1991