

IN THE SUPREME COURT OF SEYCHELLES

THE REPUBLIC

VS.

FREDERICO BOUX

Criminal Side No. 47 of 2007

Mr. Govinden for the Republic

Mr. Elizabeth for the Accused

ORDER

Gaswaga, J

The accused herein was remanded in Mt Posee prison on allegations of trafficking in a controlled drug. On the 8th November, 2007 he made serious allegations against some prisons officers of the said prison facility that they had assaulted and also tortured him whereupon he moved the court to be released on bail or be removed from that prison to a more secure and safer place.

Mr. Govinden vehemently objected to the application and later on, after seeking further instructions from the prisons officers urged the Court to dismiss the application, which he considers to be baseless. Mr. Frank Elizabeth is conducting some investigations and yet to file further papers on or before the 19th November, 2007 in support of the accused's application.

The court has not yet investigated nor heard further or sufficient evidence on the matter and therefore unable to pronounce itself or make appropriate orders.

In the interest of justice however, it was ordered that as the investigations continue and before the hearing and subsequent ruling scheduled for the 23rd of November, 2007, the accused should be remanded at the Central Police Station. The accused has now moved the court that he would want his family members to provide him with a special diet every day while in detention at the Central Police Station. Again Mr. Govinden has strongly objected to this application and submitted that all the detainees (accused inclusive) are well looked after and free to place orders of food to suit their dietary requirements.

This court has not seen any grounds to warrant special treatment for the accused who should indeed be treated like any other remandee without unjustified or uncalled for exception, and according to the law, rules and regulations governing such detention facilities.

This order is to be served on the Commissioner of Police, the Superintendent of Prisons as well as the accused person and or his counsel Mr. Elizabeth.

I so order.

D. GASWAGA

JUDGE

Dated this 15th November, 2007.