

IN THE SUPREME COURT OF SEYCHELLE

THE REPUBLIC

VS.

VALLIPURAM MURALI (Accused)

Criminal Side No. 37 of 2007

The Attorney General Mr. Fernando assisted by Mr. Camille for the Republic
Mr. Hoareau and Mrs. Antao for the Accused

RULING

Gaswaga, J

The accused herein is charged with four counts all of ‘Corruptly offering to give benefit to a person employed in the public service, contrary to and punishable under Section 9(1) of the Penal Code.’ He has denied those charges.

The defence and prosecution counsel failed to come to an agreement with regard to the dates proposed for the trial of the case. Although the Court diary is full until September, 2008 the Court is ready to vacate some cases in favour of this one given, and as conceded by all counsel, that the accused is on remand yet the investigations are complete in this case and the other two cases against the same accused in which they all appear. The learned Attorney General submitted that he needed only two hours to tender the two statements making his case. He therefore proposed dates between 20th December, 2007 to the 18th or end of January, 2008 after which date he would be engaged in other matters.

However, those dates are not convenient to Mr. Hoareau who submits that during part of that time he will be on holiday and further that the earliest dates he can

commit to this case are after the 10th March, 2008.

I find it imperative to reiterate what i stated earlier on in R vs. V. Murali CR. No. 36 of 2007 that “*A person is free to engage the services of one or more counsel who should however be ready, willing, able and available to represent him at all material times.*” Further parties and or their counsel should as much as possible adjust their diaries to suit that of the Court. Where this is not possible the Court will look into the factors surrounding the case, the parties and counsel involved etc before fixing dates.

I have perused the Supreme Court diary and found that the most suitable date is the 22nd day of February, 2008 which has on one case for mention and seven civil cases for hearing. I accordingly fix this case for hearing on that day from 9am to 4pm and order that the counsel should make the necessary preparations for it to be heard.

I so order.

D. GASWAGA

JUDGE

Dated this 23rd day of November, 2007.