

IN THE SUPREME COURT OF SEYCHELLES

THE REPUBLIC

VS.

RANCY LARUE (Accused)

Criminal Side No. 8 of 2007

Mr. Esparon standing in for Mr. Esparon for the Republic

Mrs. Antao for the accused

RULING

Gaswaga, J

This is a part heard matter wherein the accused is still kept on remand at Mt Possé Prison. A date for continuation of the same has been set. This Court has heard the application by the prosecution for extension of remand of the accused person and the objection thereto by the defence counsel, Mrs. Antao. She now submits that the accused should be enlarged on bail.

I have looked at the record again and I am convinced that the accused faces serious charges of trafficking in a controlled drug contrary to Section 5 read with Section 14(c) and Section 26(1)(a) of the Misuse of Drugs Act 1990 as amended by Act 14 of 1994 and punishable under Section 29 and the Schedule referred thereto in the Misuse of Drugs Act 1990 as amended by Act 14 of 1994. Seriousness of the matter at hand is also reflected in a number of ways for instance the prevalence of similar offences in our society today,

the severe custodial punishment involved in case a conviction is to be secured by the prosecution, the effect of such a crime on the society etc. **See The Republic vs. Gerard Kate**. Moreover, there is no substantial change in circumstances to warrant a release of the accused on bail while the seriousness of this matter has not diminished. Mere delay of a case once an accused person is charged is not a ground to mitigate the offence or for the Court to grant such an application. **See Rep vs. Cliff Emmanuel & Or Cr. 85 of 2003**.

Accordingly the accused should be remanded for another fourteen days to the 26th July, 2007 at 9am under Section 179 of the Criminal Procedure Code.

D. GASWAGA

JUDGE

Dated this 12th day of July, 2007.