

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO 62/2012

[2015] SCSC 012

THE REPUBLIC

versus

MICHEL MIRABEAU

Accused

Heard:

Counsel: Mrs. Lansinglu, Assistant Principal State Counsel for the Republic
Mrs. Amesbury for the accused

Delivered: 26 January 2015

SENTENCE

Dodin J

[1] The Convict Michel Mirabeau has been convicted on his own guilty pleas to:

- One count of wilfully and unlawfully setting fire to a house;
- One count of house breaking; and
- One count of stealing from a dwelling house.

- [2] For the purposes of these offences, the Convict is treated as a first offender although he is serving a prison sentence for a completely different offence.
- [3] Learned Counsel for the Convict moved the Court to impose lenient sentences on the Convict on account of the fact that he has pleaded guilty and saved the Court's time and expenses. He is 36 years old and a father of two minor children of 13 and 12 years respectively.
- [4] I have considered the mitigating factors raised and the fact that the Convict has indeed saved the Court, the time and expenses of a lengthy trial. However, it must be noted that the offence of arson is a very serious offence which carries a maximum sentence of life imprisonment upon conviction.
- [5] Considering all the above, I impose the following sentences of the Convict:
- On the first count of wilfully and unlawfully setting fire to a house contrary to and punishable under Section 318 of the Penal Code, I impose a sentence of 6 years imprisonment.
 - On the 2nd count of house breaking contrary to Section 289(a) and punishable under Section 289 of the Penal Code I impose a sentence of 2 years imprisonment to run consecutive with the sentence of 6 years imprisonment.
 - On the 3rd count of stealing from a dwelling house contrary to Section 264(b) and punishable under Section 264 of the Penal Code; I impose a sentence of 2 years imprisonment to run concurrent with the 2nd count.
- [6] The sentences in this case shall be consecutive to any sentence the Convict is currently serving.
- [7] Any period spent on remand shall be deducted from the sentences now imposed.

Signed, dated and delivered at Ile du Port on 26 January 2015

G Dodin
Judge of the Supreme Court