

**IN THE SUPREME COURT OF SEYCHELLES**

**Criminal Side: CO 13/2014**

**[2015] SCSC 042**

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**THE REPUBLIC**

versus

**MARIE ANTOINETTE ADONIS**

Accused

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Heard:

Counsel: Ms Confait, State Counsel for the Republic  
Mr. Juliette for the accused

Delivered: 23 February 2015

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**SENTENCE**

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**Dodin J**

- [1] The Convict Marie Antoinette Adonis AKA Edwina has been convicted on her own guilty plead to one count of manslaughter contrary to Section 192 of the Penal Code and punishable under Section 195 of the Penal Code.
- [2] The brief facts of the case are that on Friday 21<sup>st</sup> February 2014, the Convict went to a local bar (bacca shed) at Port Glaud, the district in which she resides and consumed the local brew in the company of other persons including the deceased, Francis Joubert.

- [3] The Convict had in the past an on and off relationship with the deceased and after both had consumed a certain amount of alcohol, they agreed to meet on the beach at Port Glad.
- [4] After arriving at the beach, the Convict and the deceased chatted for a short while before the deceased requested the Convict to engage in sexual intercourse.
- [5] The Convict refused and decided to leave but the deceased grabbed her leg in an attempt to prevent her from leaving. At that point, the Convict picked up a rock and hit the deceased on his head and subsequently made her getaway.
- [6] The deceased went to his place of work despite the injury to his head whilst the Convict went to report the matter to the Port Glad Police Station.
- [7] The next day, Saturday 22<sup>nd</sup> February 2014, the deceased was found lying on the ground near his place of work and was later declared dead.
- [8] Post mortem examination revealed that the cause of death was hypovolemic shock with external bleeding due to a head injury which fractured the base of his skull.
- [9] The Convict is 43 years old and mother of 7 children, 2 of whom are minors aged 11 and 8 years respectively.
- [10] Learned Counsel for the Convict moved the Court to impose a most lenient sentence on the Convict who is a first offender and who acted out of fear of being raped by the deceased, while both were under influence of alcohol.
- [11] Learned Counsel submitted that the Convict is remorseful and whilst accepting that her action has caused the death of the deceased, she maintains that she had no intention to cause Mr. Joubert's death and that she only reacted to his persistence in trying to get her to engage in sexual intercourse with him against her will.
- [12] I have carefully considered the mitigating factors raised by Learned Counsel for the Convict, particularly, the fact that by pleading guilty the Court has been spared a possibly

lengthy trial at considerable expenses. The Court takes into account that the Convict is a first offender and recognises that her action has caused the unfortunate death of a person.

[13] However I must take into consideration that taking the life of a person, whatever the reason, is a serious matter and unless there is a clear lawful reason to cause the death, the perpetrator must face the consequences under the law which in the case of manslaughter carries a maximum sentence of life imprisonment.

[14] However in view of the mitigating circumstances raised which are most favourable to the Convict, I impose a sentence of 5 years imprisonment on the Convict. The time spent on remand shall be part of the sentence now imposed.

[15] She can appeal against the sentence within 30 working days.

Signed, dated and delivered at Ile du Port on 23 February 2015



G Dodin

**Judge of the Supreme Court**