

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO 76/2015

[2016] SCSC 107

THE REPUBLIC

versus

TONY FRANCOISE

Accused

Heard:

Counsel: Mrs. Faure, State counsel for the Republic
 Mr. Gabriel for the accused

Delivered: 12 February 2016

SENTENCE

Burhan M

[1] I have considered the facts placed by the learned counsel in mitigation before Court. The most important is the fact that the accused has pleaded guilty without wasting the time of the Court, thereby expressing remorse and regret at the very first instance and expecting leniency of court.

[2] I also note that the accused is only 28 years of age, the father of a young child and it appears that as stated by learned counsel, he is the sole bread winner in the family as the mother of the child is having a hearing impairment.

- [3] I have considered the mitigating circumstances and the fact that the Honourable Attorney General has filed as a lesser charge considering the circumstance of this case, I intend imposing a sentence which would give an opportunity for the accused to reform himself. However at the same time I take into consideration that the drug concerned is a Class A Drug heroine and the deleterious effects it has on society especially the young children.
- [4] I am therefore of the view that an incarcerated term of imprisonment is compulsory. However considering all the strong mitigatory facts put forward by learned counsel, I proceed to sentence the accused to a term of 12 months imprisonment.
- [5] Time spent on remand shall count towards sentence. The Convict can appeal within 30 working days.

Signed, dated and delivered at Ile du Port on 12 February 2016.

M. Burhan
Judge of the Supreme Court