

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO38/2016

[2016] SCSC

THE REPUBLIC

versus

TESSARR VALERIE AGLAE
Accused

Heard: 15 July 2016
Counsel: Mr Vipin, Assistant Principal State Counsel for the Republic
Mr Andre for the accused

Delivered: 15 July 2016

ORDER

Akiiki-Kiiza J

- [1] I have carefully listened to the submissions of both learned counsel and the Constitution and the Accused person who is always liable to be released on bail, unless it can be shown that she would not be available to attend and answer to her bail and have the case heard in Court.
- [2] This was the decision of the Court of Appeal in the case of **Esparon vs Republic**. The Court went further to state that even in the cases of murder an accused person can be

released on bail provided that befitting conditions can be imposed to ensure his attendance in Court.

[3] In the circumstances, therefore here and taking into consideration on the welfare of the children, one of whom is only 2 years old and who is said to be staying with the great grandparent who might be an elderly women.

[4] Putting everything into consideration I release the Accused in the following terms;

1. She has to deposit cash bail of SR 10,000 with a surety in the same amount not cash. The Surety to be approved by the Registrar.
2. Surrender any travel documents to the Registrar of this Court.
3. Not leave the jurisdiction of this Court without prior permission from the Court.
4. The Commissioner of the Immigration to be informed accordingly.
5. To appear at Anse Etoile police station on Mondays, Wednesdays and Fridays between 5 – 7 pm.
6. Not to interfere with any prosecution witnesses.
7. Failure to comply with any of the above conditions will result into automatic cancellation of bail.

Signed, dated and delivered at Ile du Port on 20 July 2016.

D Akiiki-Kiiza
Judge of the Supreme Court