

IN THE SUPREME COURT OF SEYCHELLES

CriminalSide: CO26/2016

[2016] SCSC

THE REPUBLIC

versus

JEFFREY RENE

Accused

Heard: 26 July 2016
Counsel: Ms Rongmei, Assistant Principal State Counsel for the Republic
Mr Gabriel for the accused
Delivered: 26 July 2016

ORDER

Akiiki-Kiiza J

- [1]** I have carefully considered the submissions of both learned counsel. I have also carefully considered the Affidavit sworn by Detective Constable Ester Andre dated the 20th May 2016.
- [2]** Bail under the Constitution is a right but can be denied if there are compelling circumstances warranting the Accused to stay on remand.

[3] The Court of Appeal in the case of **Esparon vs The Republic** ruled that an Accused person could be granted bail provided strict conditions are put in place by the Court to ensure that he answers his bail. Their Lordships even went further to state that even murder cases bail can be granted in appropriate cases.

In the premises therefore, after noting the concerns raised by the prosecution both orally through counsels and by Detective Constable Esther Andre's Affidavit, I find that it is to a Constitutional right for the Accused to granted bail provided he complies with the following conditions;

- (1) He will deposit in Court the sum of SR 10,000 cash.
- (2) He will furnish a surety to be approved by the Supreme Court Registrar whilst sign a bond of SR 20,000 not cash.
- (3) He will refrain from coming into contact with the victim or her relatives until the end of this case.
- (4) He will also refrain from contacting any prosecution witnesses from today until the case ends.
- (5) He will report to the nearest police station at Anse Aux Pins police station three times a week, Mondays, Wednesdays and Fridays between 4 – 5 pm.
- (6) He will surrender all his travels documents to the Registrar of the Supreme Court.
- (7) He will not leave Mahe without prior consent of this Court.
- (8) The commissioner of the Immigration will be served with this Court order.
- (9) Failure or breach of the above conditions will result in the automatic bail cancellation.

[4] Order Accordingly.

Signed, dated and delivered at Ile du Port on 28 July 2016

D Akiiki-Kiiza
Judge of the Supreme Court