

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO 35/2011

[2016] SCSC 582

THE REPUBLIC

versus

NICOL PADAYACHY

Accused

Heard:

Counsel: Mr. Vipin, Assistant Principal State Counsel for the Republic
Mrs. Amebury for the accused

Delivered: 17 February 2016

SENTENCE

Dodin J

[1] I have heard counsel in mitigation. As I stated the case is a 2011 that was before the amendment that impose mandatory life, in fact the minimum mandatory sentence for Class B Drug at the time was 8 years imprisonment.

[2] The Convict is 49 years old. Has 3 minor children. He is a first time offender. As counsel has moved the Court to impose a sentence less than the mandatory minimum, I do not find any special circumstances to warrant the Court to impose that is lower than the mandatory minimum of 8 years that existed at the time.

[3] I impose a sentence of 8 years imprisonment. Time spent on remand shall count towards the sentence. If the law is implemented that remission is granted, he will not have much to serve.

[4] He can appeal against both the judgment and sentence within 30 working days.

Signed, dated and delivered at Ile du Port on 17 February 2016

G Dodin
Judge of the Supreme Court