

**IN THE SUPREME COURT OF SEYCHELLES**

**Criminal Side: CO 84/2015**

**[2016] SCSC 711**

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**THE REPUBLIC**

versus

**DAVIS JOURDAN LESPERANCE**  
Accused

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Heard:

Counsel: Mr. Khalyaan, State Counsel for the Republic  
Mr. Gabriel for the accused

Delivered: 30 September 2016

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**SENTENCE**

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**Dodin J**

[1] I have heard counsel in mitigation. The Convict is 46 years old. He has 2 children, 12 and 8 years old. He is a first offender. He has pleaded guilty with remorse and saved the Court's time.

[2] As is currently the practice, we have to look at the new Misuse of Drugs Act and for that purpose I agree that a sentence of imprisonment would not be necessary in this case.

[3] I impose the following fines on the Convict.

- (1) For the 1<sup>st</sup> count, 3.22 grams of heroin with 58% purity, I impose a fine of SR6,000.
- (2) On the 2<sup>nd</sup> count, a trace, I impose a fine of SR2,000.
- (3) On the 3<sup>rd</sup> count which is Class B Drug, 3.15 grams, I also impose a fine of SR2,000. A total of SR10,000.

[4] You are given 6 months to pay that fine. You can pay in instalment but at the end of 6 months your case will be reviewed. If you have not completed payment then a sentence of imprisonment would be imposed.

[5] The Convict can appeal against the sentence within 30 working days.

Signed, dated and delivered at Ile du Port on 30 September 2016

G Dodin  
**Judge of the Supreme Court**