

**IN THE SUPREME COURT OF SEYCHELLES**

**CriminalSide: CO47/2015**

[2017] SCSC 148

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**THE REPUBLIC**  
versus

**DENIS MARIE**  
First Accused

**BRIAN MARIE**  
Second Accused

**MICHAEL JOUBERT**  
Third Accused

**NAGARAJAN CHETTY**  
Fourth Accused

**JEAN-LUC MOUMOU**  
Fifth Accused

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Heard: 16 February 2017  
Counsel: Mr Andy Asba for the Republic  
Mrs Alexia Amesbury for the 1<sup>st</sup> Accused  
Mr Nichol Gabriel for the 2<sup>nd</sup> and 5<sup>th</sup> Accused  
Miss Lucy Pool for the 3<sup>rd</sup> Accused  
Mr Clifford Andre for the 4th Accused  
Delivered: 16 February 2017

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**ORDER**

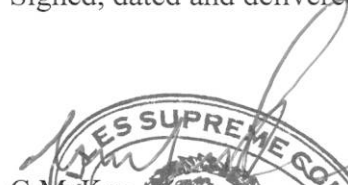
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**McKee J**

[1] On the application of the Prosecution the sole charge of Robbery was WITHDRAWN in respect of all five Accused.

- [2] ACCORDINGLY: All five Accused are DISCHARGED in terms of section 65[a] of the Criminal Procedure Code.
- [3] The Fifth Accused is returned to custody at Montagne Posee Prison to serve a sentence.
- [4] IN RESPECT OF each of the First, Second, Third and Fourth Accused it is now right and proper that they be released from their Bail conditions.
- [5] The Registrar of the Supreme Court shall release and return all cash bail deposited with the Registry of the Supreme Court to each respective Accused. Likewise, Bail Bonds signed to ensure attendance will be revoked.
- [6] The Registrar of the Supreme Court shall release and return passports held in security to respective Accused.
- [7] The Order that the Accused shall not travel out with Seychelles shall be revoked and the Director of Immigration and the Immigration Authorities at all places of departure shall be advised accordingly. Notice shall be served on the respective immigration officials to this effect.
- [8] The Order that the First Accused shall not be issued with a passport is hereby revoked and Notice to be issued to the Director of Immigration to this effect.
- [9] The Officer Commanding Victoria, Police Station shall be advised that the reporting conditions in respect of the First, Second and Third Accused shall be revoked. Notice to this effect to be served on the said Officer Commanding Central Police Station. Likewise the Officer Commanding Baie Lazare Police Station to be advised that reporting conditions in respect of the Fourth Accused, NagaraJan Chetty are hereby revoked.
- [10] All accused shall be free now to enter the Barrel Discotheque in Victoria.
- [11] A copy of this Order to be served on the Registrar of the Supreme Court and the Attorney General [marked for the attention of Counsel, Mr Asba].

Signed, dated and delivered at Ile du Port on 16 February 2017

  
C McKee  
Judge of the Supreme Court

The seal of the Seychelles Supreme Court is circular. It features a central emblem with a bird, possibly a frigatebird, perched on a branch. The emblem is surrounded by a wreath. The text "SEYCHELLES SUPREME COURT" is written in a circle around the emblem. Below the emblem, the words "SEAL OF THE SEYCHELLES" are visible, along with a small star.