

**IN THE SUPREME COURT OF SEYCHELLES**

**Criminal Side: CO 63/2016**

**[2017] SCSC 345**

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**THE REPUBLIC**

versus

**BERARD MAGUERITE**

Accused

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Counsel: Mr. Subramanian, State Counsel for the Republic  
Mr. Camille for the accused

Delivered: 7 April 2017

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**SENTENCE**

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Dodin J

I have heard counsel in mitigation. The Convict is 46 years old. He is a father of two children, one 7 years old and another one is 16 months old who is actually ill in the hospital. He is a first offender and he has pleaded guilty. He has saved the Court's time and expenses of a trial.

I have heard learned counsel who has moved the Court to show leniency and not to impose a prison sentence on the Convict. I have considered all the mitigating factors and I have also considered all the aggravating factors under the Misuse of Drugs Act 2016. I find no aggravating circumstances and no aggravating factors to warrant a sentence of imprisonment.

I impose for:-

- Count 1, a fine of Rs45,000 on the Convict and
- Count 2 a fine of Rs5, 000 totalling Rs50, 000.

He has 6 months to pay. He can pay by instalments. In default of payment that is if he does not pay, a sentence of 2 years imprisonment would be activated.

He can appeal against the sentences within 30 working days.

Signed, dated and delivered at Ile du Port on 7 April 2017

G Dodin  
**Judge of the Supreme Court**