

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO 63/2016

[2017] SCSC

THE REPUBLIC

versus

BERARD MAGUERITE

Accused

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

Delivered: 7 April 2017

SENTENCE

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