

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO 52/2011

[2017] SCSC 87

THE REPUBLIC

versus

MICHEL ANACOURA

JOSEPH DIAS

Accuseds

Heard:

Counsel: Mr Vipin, Assistant Principal State Counsel for the Republic
Mr Chetty for the 1st Accused
Mr Gabriel for the 2nd Accused

Delivered: 2 February 2017

SENTENCE

Dodin J

[1] I have heard both counsels in mitigation. The first convict 50 years old. He is a father of three children two of whom are adults but one is 13 years old. He has in employment and supports his family. He has pleaded guilty and therefore the trial would no longer take place.

- [2] The 2nd Accused also has pleaded guilty the same circumstances he is 59 years old and he is not in good health. Both convicts corporated with the NDEA during the operation and I note also that the offence was committed about 6 years ago. So at this stage I do not find it necessary to impose a prison sentence on either convict.
- [3] I note that this is a Class A drug the amount that is the pure drug is only 13.8 grams under the New Misuse of Drugs Act this would have attracted a sentence of between 2 and 5 years imprisonment. However as for the second convict he has already served about 3 years on remand because he could not meet the bail condition. So I would sentence him to 2 years which she has already served.
- [4] For the 1st Accused as I said since he has been out on bail for almost 6 years now I would not sent him to prison but I will impose of a fine of SR50,000 to show that this is a serious offence so the fine is on the high side. He has 6 months to pay in default he shall serve a sentence of 2 years imprisonment.
- [5] Both Accuseds can appeal against sentence within 30 working days.

Signed, dated and delivered at Ile du Port on 2 February 2017

G Dodin
Judge of the Supreme Court