

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO 43/2018

[2018] SCSC 898

THE REPUBLIC

versus

CARLOS JUMAYE

Accused

Heard:

Counsel: Mr. K. Karuna Karan, Attorney General for the Republic
Mr. N. Gabriel for the accused

Delivered: 9 October 2018

SENTENCE

Vidot J

[1] Carlos Jumaye was charged with the following;

Statement of Statement

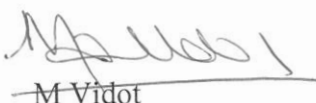
Robbery with violence contrary to Section 281, read with Section 280 of the Penal Code (Cap 158) and punishable under the same.

Particulars of Offence

Carlos Jumaye, a 19 year old of Pointe Larue, Mahe, around 19.00 hours on 21st August 2017, at Ex-Albert Estate, armed with a piece of wood, hit one Louisette Sinon on her shoulder causing her significant injury and slapped her, and after struggling with her, robbed her of her handbag containing money and items of an approximate value SR19,750.

- [2] The Accused have been tried and was found guilty. He has requested that a Probation Report is obtained from the Probation Services.
- [3] The Accused is a young man of 20 years. He is not married and has no children. He is not in full time employment though he is employed on a casual basis. I have taken into account that the Accused is a first time offender and that he is a drug dependant person.
- [4] In the circumstances I find that a custodian sentence is appropriate. The offence committed by the Accused is quite serious. Further the classic principle in sentencing is deterrence, prevention, rehabilitation, reformation and retribution; see **Lawrence & Anor v Republic [1990] SLR 47**. I have to impose a sentence that takes into consideration all of the above whilst I also bear in mind particulars pertinent to the Accused particularly his youth his drug dependency and the fact that he is a first time offender.
- [5] I feel that in the circumstances that a custodial sentence is warranted. Therefore, I impose on the Accused a term of 2 years and 6 months imprisonment. During that time in prison he shall also be placed on a drug rehabilitation programme.
- [6] If unsatisfied with the judgment and sentence the Accused may appeal against the same within 30 working days hereof

Signed, dated and delivered at Ile du Port on 9 October 2018



M Vidot

Judge of the Supreme Court