

**IN THE SUPREME COURT OF SEYCHELLES**

**Criminal Side: CO 27/2018**

[2018] SCSC W 43

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**THE REPUBLIC**

versus

**MICHEL TERRY BIBI**

Accused

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Heard:

Counsel: Mr. Esparon, Principal State Counsel for the Republic  
Mr. Andre for the accused

Delivered: 24 December 2018

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**RULING**

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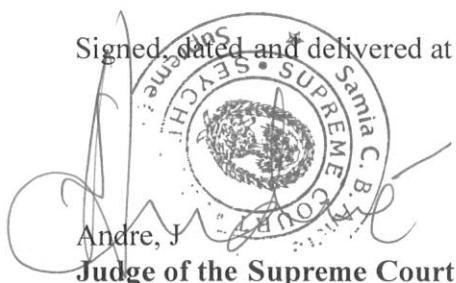
**Andre, J**

- [1] On the Motion filed by Learned Counsel for the Republic with respect to the accused, namely Motion dated the 3<sup>rd</sup> day of May 2018 and attached thereto sworn Affidavit of Officer Aubrey Labiche of Anti-Narcotic of Seychelles Police Force as well as documentations *vis-à-vis* case Criminal Number 12/2001, wherein the accused person was charged with same and similar offences and the relevant documentations pertinent to that particular case has been attached in support of the Motion in Affidavit already indicated.
- [2] Now the Court after having heard both Learned Counsels for the Republic as well as the accused person and also having duly considered and taken incognizance of the averments

in the Affidavit, more specifically paragraph 10 of the Affidavit of Aubrey Labiche Police Officer, as well as the paragraph 8 of the Affidavit of Mr Quatre's with respect to Criminal Number 12/2001 and also noting that the charge with which the accused is charged in this matter is a very serious in nature in view of the fact that it is importation of a controlled drug namely heroin, so due of the seriousness of the offence and also on the history of the accused person based on his abstention, and also noting that the charge has been filed since April this year and albeit a warrant of arrest being issued the accused person has not been able to be found to be served with the charge, and he was only served as confirmed by Counsel this morning after his arrest. And this is evidence enough to support the averments of the Affidavit that there is a strong likelihood that the accused person will either abscond from appearing before Court by staying in the country or leaving the country. Hence for these reasons I find that this Motion is justified and it warrants the remand of the accused person in custody for a period of 14 days pending which Counsel will have time to go through the documents and advise client accordingly in terms of whether he should plead and how he should plead to the charge

- [3] So in the circumstances the Court hereby grants the Motion and the accused person in remanded in Police custody at Montagne Posée for a period of 14 days and he shall be reproduced before the Court before Judge Burhan on the 07<sup>th</sup> day of January 2019 at 9:30 in the morning. And if Judge Burhan is not present then the Duty Judge shall take over the matter for the purpose of extension of remand or any other proceedings that warrants to be taken care of in this matter.

Signed, dated and delivered at Ile du Port on 24 December 2018



Andre, J.  
Judge of the Supreme Court