

## SUPREME COURT OF SEYCHELLES

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### **Reportable**

[2019] SCSC 128  
CN 10/2018 CN11/2018  
(Appeal from the Magistrate's Court  
cases CS 492/2017 and CS 493/2017)

**IAN ADELAIDE**  
(*In person*)

**Appellant**

versus

**THE REPUBLIC**  
(*rep. by Joji John*)

**Respondent**

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**Neutral Citation:** Ian Adelaide v The Republic (CN 10/2018) (CN 10/2018) [2019] SCSC 128  
(22 February 2019)

**Before:** Dodin J

**Summary:** Appeal against sentence – 2 years and 3 years - stealing

**Heard:**

**Delivered:** 22 February 2019

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### **ORDER**

Appeal against sentences of 2 years and 3 years imposed by Magistrate's Court maintained to run consecutively with remission and deduction of remand period.

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### **JUDGMENT**

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#### **DODIN J**

1. The Appellant Ian Adelaide was convicted on his own guilty plea to one Count of stealing in *Case No CS 492 of 2017* and sentenced to a term of 3 years imprisonment and a fine of SCR3,000.
2. The Appellant was further convicted on his own guilty plea to one count of stealing in *Case Number 493 of 2017* and was sentenced to a term of 2 years imprisonment and a fine of SCR3,000.

3. The sentence in *Case 493 of 2017* is to run consecutive to the sentence imposed in *Case CS 492 of 2017*. The total term of imprisonment for the 2 cases combined is 5 years.
4. The Appellant now appeals against the sentences but did not file any Memorandum of Appeal.
5. He maintains that since the sentences impose appear in both case numbers it is not clear how long he will spend in prison. Otherwise, should that be clarified, he does not wish to proceed with the appeal except to know whether he is entitled to remission and if time spent on remand in both cases would be deducted.
6. I have carefully perused the records of proceedings in both cases and the sentences imposed by the learned Magistrate.
7. I find and Order as follows:
8. In Case Number C492 of 2017;
  - (1) The sentence of 3 years imprisonment is maintained;
  - (2) Any time spent on remand shall be deducted from the sentence;
  - (3) The convict is entitled to remission on the sentence;
  - (4) The fine of SCR3,000 is maintained;
  - (5) The order to go on the rehabilitation program is also maintained;
9. In Case Number 493 of 2017;
  - (1) The sentence of 2 years imprisonment is maintained;
  - (2) Any time spent on remand in that case shall be deducted from the sentence;
  - (3) The convict is entitled to remission on the sentence in this case;
  - (4) The sentence shall run consecutive to the sentence imposed in *CS 492/2017*.
  - (5) The fine of SCR3,000 is maintained.
  - (6) The order for rehabilitation under the rehabilitation program is also maintained.

10. Total Sentence for both cases combined is 5 years, minus remission in both cases. Any time spent on remand in both cases shall also be deducted.

11. A copy of this Judgment is to be served on the Superintendent of prison.

Signed, dated and delivered at Ile du Port on 22 February 2019.

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Dodin J