

SUPREME COURT OF SEYCHELLES

Reportable

[2019] SCSC 384

CO 49/2018

In the matter between:

THE REPUBLIC

(rep. by Ms Benoiton)

and

RASHID ESTICO

(rep. by Nichol Gabriel)

Accused

Neutral Citation: *The Republic v Rashid Estico* CO 49/2018 [2019] SCSC 384 13 May 2019

Before: Dodin J

Summary:

Heard:

Delivered: 13 May 2019

SENTENCE

DODIN J

[1] I have heard Counsel in mitigation. The Convict is 21 years old and he has pleaded guilty. He is employed as a Runner at Fisherman's Cove Hotel. He is gainfully employed and he currently lives with his partner at North East Point.

[2] He has saved the Court's time and expenses of a trial and Counsel has moved the Court for leniency and not to impose a prison sentence. He is a first offender he has shown remorse and note is taken that the amount is small being only 2.67 grams of heroin in purity.

- [3] I have considered the mitigating factors above. I find that the amount although a Class A drug is on the low side 2.67 percent purity. There is no other aggravating factor and it's not of any commercial value. There was no violence involved and also I find that since the Convict being gainfully employed there is no need to impose a prison sentence in this case.
- [4] So I will impose the following sentence: firstly I sentence the Accused to 2 years imprisonment which is suspended for 3 years with condition that he does not commit any similar offence within the next 3 years.
- [5] Secondly in addition to that I impose a fine of Rs25,000/-. The fine must be paid within 6 months of today. He can pay by instalments. Any default if he defaults in paying the fine at the expiration of 6 months I will activate his suspended sentence of imprisonment.
- [6] He can appeal against the sentence within 30 working days.

Signed, dated and delivered at Ile du Port on 13 May 2019

Dodin J