

SUPREME COURT OF SEYCHELLES

Reportable

[2019] SCSC 557
CO27/2019

In the matter between:

THE REPUBLIC

(Mr. Joji John)

Petitioner

and

FRANKLIN RADEGONDE

(Mrs. Alexia Amesbury)

Accused

Neutral Citation: *Republic v. Franklin Radegonde* (CO27/2019) [2019] SCSC 557

(8 July 2019).

Before: G. Dodin, Judge

Summary: Sentence of Accused Person

Delivered: 8 July 2019

SENTENCE

G. DODIN, JUDGE

[1] This is the sentence of the Court. Considering the mitigating factors raised by Counsel for the convict; he has pleaded guilty and saved the Court's time and expenses of a trial. He is a first offender, aged 29 years old. He has two minor dependent children aged 5 and 1 year.

[2] The amount of drugs are also on the low side being 1.82 grams of heroin, diamorphine and 0.45 grams of cannabis resin, hashish indicated for that he is remorseful and that he was at that time addicted to drugs but he has now undergone treatment and he is no longer dependent. I note also that he has spent the last two months in custody, he has not been able to meet the bail conditions.

[3] So for these reasons I will not give him a further imprisonment term. For the first Count I will give you one year imprisonment, I will suspend it for two years plus a fine of Rs 10, 000/- to be paid within six months. If you default on the fine I will activate it before a sentence of imprisonment. And also should you commit any offence, similar offence within the two years that sentence will be activated. So make sure you do not commit any similar offence that is possession or trafficking of controlled drugs within the two years.

[4] Second count also one year imprisonment which shall be suspend and for the same period of two years.

[5] The maximum sentence year for escape is just two years. I will also give you one year and suspend it also for two years. So for the two years you must live clean, no more drug addiction and no more trafficking or possession of drugs.

Signed, dated and delivered at Ile du Port on 08th July 2019.

G. Dodin

Judge of the Supreme Court