**SUPREMECOURT OF SEYCHELLES**

**Reportable**

[2020] SCSC 501

CO 53/2020

In the matter between

THE REPUBLIC Applicant

(rep. by Ms Benoiton)

and

Dereck Egbert Samson Accused

*(rep. N Gabriel)*

**Neutral Citation:** *R v Samson* (CO 53/2020) [2020] SCSC501 (28 July 2020).

**Before:** Govinden J

**Summary:** Trafficking and Possession of drugs - Guilty Plea - Minimum sentences for 1st offender.

**Heard:**  28th July 2020 2019

**Delivered:** 28th July 2020

**ORDER**

Sentence for Trafficking in small amount of heroin (Diamorphine), 1 year suspended for 3, plus fine of Rs10000.

**SENTENCE**

**GOVINDEN J**

1. I have heard Counsel in mitigation. The convict is a 42-year-old man. He has pleaded guilty. He has saved the Court's time and expenses of a trial and he is a first offender.
2. As regards to the amount of controlled drug, it is on the low side. Although, being a class A drug, it is only 59% purity with a net weight of 2.07 grams.
3. Having considered all the circumstances I can see no aggravating factors in this case. So I do not find any reason to commit the accused to imprisonment at this stage.
4. I will impose the following sentence on the convict.
5. I impose a sentence of one-year imprisonment which I shall suspend for three years with the condition that he does not commit any similar offense for a period of three years, otherwise the sentence of one year will be activated. I further in addition impose a fine of Ten Thousand Rupees.
6. I will give the convict 6 months from today to pay his fine.
7. He can appeal against the sentence within 30 working days.

Signed, dated and delivered at Ile du Port on 28th July 2020.

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Govinden J