

SUPREMECOURT OF SEYCHELLES

Reportable

[2020] SCSC 501

CO 53/2020

In the matter between

THE REPUBLIC

(rep. by Ms Benoiton)

Applicant

and

Dereck Egbert Samson

(rep. N Gabriel)

Accused

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.

1. I will give the convict 6 months from today to pay his fine.
2. He can appeal against the sentence within 30 working days.

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

Govinden J