

SUPREME COURT OF SEYCHELLES

Reportable
[2020] SCSC
JO 18/2018

In the matter between:

THE REPUBLIC
(rep. by Ms. Madeleine)

Republic

and

PM

1st Accused

MB

2nd Accused

Neutral Citation: *Republic vs PM & or* (JO 18/2018) [2020] SCSC

(1st October 2020)

Before: R. Govinden

Summary:

Heard:

Delivered: 1st October 2020

SENTENCE

R. GOVINDEN

[1] The two convicts who were Juvenile at the time of the commission of the offence pleaded guilty to one count of unlawful procession of property contrary to and punishable under Section 210 read with Section 23 of the Penal Code.

[2] The particulars of offence read as follows:

PM and MB, both residing at Bel Ombre, Mahe on the 16th day of November 2017 at Bel Ombre, Mahe were found in possession of one green dust bin containing the following: one big black speaker, one black TV screen, one STC shopping bag, one brown backpack, one grey table wire which maybe reasonability suspected to have been stolen or unlawfully obtained.

- [3] They were convicted by this Court upon their own of guilty pleas.
- [4] The facts of the case which consist essentially of the particulars of the offence was read by the learned prosecutor and the convicted accepted them as read. The 2 convicts are first offenders for the purpose of this Sentence.
- [5] Before the Learned Counsel respectively mitigated in favour of a lenient sentence they applied for Probation resentencing report regarding both convicts that were provided by the Social Services prior to the plea in mitigation.
- [6] The Counsel for the 2nd convict heavily mitigated in favour of a lenient sentence for his client and in the absence of learned Counsel for the 1st convict and subject to the consent of the 1st convict he also mitigated in favour of the 1st convict.
- [7] We have carefully listened and scrutinised the submissions of learned counsel and we have born in mind the mitigation, in favour of both of them. We have also taken into consideration the recommendation of the Social Service report regarding the offenders.
- [8] We especially bear in mind the fact that they are 1st offenders and they have pleaded guilty and saved the precious time of the Court and that both of them are remorseful.
- [9] This Court will therefore impose the following sentence on both convicts:
1. They are sentenced to 6 months imprisonment suspended for 2 years.
 2. They are not to commit any offences during the course of this suspension otherwise the 6 months imprisonment will be activated in default.

[10] A copy of this sentence is to be served upon the absent of the 2nd convict person at his home at Bel Ombre, Mahe or where he is actually working Silhouette Labriz Hotel.

Signed, dated and delivered at Ile du Port on 1st October 2020.

Govinden J