

## SUPREME COURT OF SEYCHELLES

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**Reportable**

[2020] SCSC 944  
CO 46/2020

In the matter between:

**THE REPUBLIC**  
(rep. by Joji John)

**Republic**

and

**STEPHAN NOURRICE**  
(rep. by Nichol Gabriel)

**Accused**

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**Neutral Citation:** *Republic vs Nourrice* (CO 46/2020) [2020] SCSC 944 (11 December 2020).

**Before:** Burhan J

**Summary:** Possession of a controlled drug

**Heard:** 30<sup>th</sup> November 2020

**Delivered:** 11 December 2020

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### ORDER

On Count 1, the convict Stephan Marcus Nourrice is sentenced to a fine of SCR 5000/- in default of payment of fine a term of six months imprisonment.

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### SENTENCE

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**BURHAN J**

[1] The convict was charged in this case CR 46/2020 with the following offence:

Possession of a controlled drug contrary to Section 8 (1) of the Misuse of Drugs Act, 2016.  
It is apparent from the particulars of offence that the controlled drug detected is Heroin

having a total weight of 3.46 grams with a purity content of Heroin 1.17 grams. The detection was made on the 29<sup>th</sup> of June 2019.

- [2] The convict pleaded guilty to the aforementioned charge and at the request of his learned Counsel Mr. Gabriel a probation report was called. The facts set out in the probation report are that the convict is 31 years of age. He has been doing numerous jobs on a casual basis for short periods of time which includes masonry, tree cutting and as a security officer. It is apparent from the probation report that he has served time in prison before and is having an addiction to controlled drugs.
- [3] However having considered the plea in mitigation made by learned Counsel Ms Madeleine, the fact that the convict is 31 years of age and that the convict has expressed remorse and regret by pleading guilty and that even at the last minute 3<sup>rd</sup> November 2020, he has decided to enter a rehab program at APDAR as per the probation report, I am inclined not to be too harsh on the convict as he has pleaded guilty on the 12<sup>th</sup> of October 2020 in two cases (CR 46/2020 and CR 69/2020) thereby saving the precious time of Court.
- [4] Having considered the aforementioned circumstances, I proceed to sentence the convict as follows;

On Count 1, the convict Stephan Marcus Nourice is sentenced to a fine of SCR 5000/- in default of payment of fine a term of six months imprisonment.

Signed, dated and delivered at Ile du Port on 11 December 2020



Burhan J