**SUPREME COURT OF SEYCHELLES**

**Reportable**

[2022] SCSC …

CO4/2022

In the matter between

THE REPUBLIC

(rep. by Mr Powles)

and

MR FRANK MARIE Accused

*(rep. by Mr France Bonte)*

**Neutral Citation:** Republic *v Marie* CO4/2022) [2022] SCSC (25 February 2022).

Before: Govinden CJ,

Heard: 25 February 2022

Delivered: 25 February 2022

**ORDER**

**GOVINDEN CJ**

1. I have heard the submission of Learned Counsel for the 5th accused. I have also give due consideration to the position of the Learned Counsel for the Republic thereon. I have also applied my mind to the medical reports disclosed to the Court.
2. Having done so I find that the facts disclosed before the Court reveals to the Court new circumstances that has not been revealed prior to.
3. These new facts produced shows that the accused has certain medical condition namely Atrial Fibrillation, hypertension, diabetes mellitus and a right eye glaucoma.
4. These medical conditions coupled with his advance age taken together present to Court a change of circumstances that invites this Court to reconsider its decision to remand the 5th accused in custody notwithstanding the risk that he imposed if he is enlarged on bail.
5. I have weight all the factors that have to be weighed and I feel that the new facts presented justified his released on bail instead of detention.
6. Accordingly, I will release him on the following reasonable conditions:-
7. He shall report to the Mont Fleuri Police Station once a week on Mondays at 10.00 a.m.
8. He shall surrender his passport or any travelling documents that he may have with the Registry of the Supreme Court.
9. He shall sign a bail bond in the sum of SCR100,000.
10. He shall not attempt to tamper with any evidence in this case including the testimonies of Prosecution witnesses or otherwise interfere with the due course of justice.
11. He shall not commit any offence whilst on bail.
12. He shall remain at his residence at all material time except if he is to come to Court in this case, report to the Police Station as aforementioned and visit a medical Centre.

Signed, dated and delivered at Ile du Port on 25th February 2022

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Govinden C J