

SUPREME COURT OF SEYCHELLES

Reportable

[2022] SCSC ...

CO4/2022

In the matter between

THE REPUBLIC

(rep. by Mr Powles)

and

MR FRANK MARIE

(rep. by Mr France Bonte)

Accused

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 weighed all the factors that have to be weighed and I feel that the new facts presented justified his release on bail instead of detention.
- [6] Accordingly, I will release him on the following reasonable conditions:-
- (1) He shall report to the Mont Fleuri Police Station once a week on Mondays at 10.00 a.m.
 - (2) He shall surrender his passport or any travelling documents that he may have with the Registry of the Supreme Court.
 - (3) He shall sign a bail bond in the sum of SCR100,000.
 - (4) 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.
 - (5) He shall not commit any offence whilst on bail.
 - (6) He shall remain at his residence at all material times 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

Govinden C J