

IN THE SUPREME COURT OF SEYCHELLES

Reportable
[2023] SCSC 760
CO 18/2023

In the matter between

THE REPUBLIC
(rep. by Luthina Monthy)

PROSECUTION

and

CONRAD BIBI
(rep. by Olivier Chang-Leng)

ACCUSED

Neutral Citation: *Rep v Conrad Bibi (CO 18/2023) [2023] SCSC 760*
Before: G. Dodin
Heard: 09 October 2023
Delivered: 09 October 2023

SENTENCE

Dodin J

- [1] I have heard counsel in mitigation. The convict is 48 years old. He is a resident of Intendence, Takamaka. He lives with his partner. He is gainfully employed as a disconnection technician at PUC. He is a father of three children two of whom are adult and one is 16 years old and all are still dependent on him. He is a first time offender. He has pleaded guilty and saved the Court's time and expenses of a trial. All the counts contained Class B drugs, not of large quantity and the convict maintains that they are for his personal use but they are counts of possession so the Court will not rule on that. I see no aggravating factors and the drugs have no commercial value. On the personal circumstances of the convict it was noted that he suffered injury to his arm, he was shot and his arm is impaired. Learned counsel moves for non-custodial sentences which the

Court agree that these offences do not carry firm term sentences of imprisonment. So I will impose the following sentences on the convict;

- i. Count 1 for cultivation of 20 plants of Cannabis; three months imprisonment which is suspended for one year plus a fine of SCR 5000;
- ii. Count 2 possession of 168.5 grams of Cannabis herbal material; three months imprisonment suspended for one year plus a fine of SCR 3000;
- iii. Count 3 possession of four hand rolled cigarettes containing Cannabis herbal material; fine of SCR 1000;
- iv. That is a total fine of SCR 9,000;
- v. All sentences would run concurrently and the convict is given 6 months to pay the fine. He can be paid by instalment. In default of not paying the fines the sentence of three months imprisonment would be activated.

[2] The convict can appeal against the sentences within 30 working days.

Signed, dated and delivered at Ile du Port on 09 October 2023.



G. Dodin

Judge

