

IN THE SUPREME COURT OF SEYCHELLES

**THE REPUBLIC
VS.
JEMMY LEBON (Accused)**

Criminal Side No. 6 of 2008

Mr. Durup for the Republic
Mr. Hoareau for the Accused

RULING

Gaswaga, J

The accused herein is charged with the offence of trafficking in a controlled drug contrary to Section 14(d) and 26(1) (a) of the Misuse of Drugs Act 1990 as amended by Act 14 of 1994 and punishable under Section 29 and the Second Schedule referred thereto in the Misuse of Drugs Act 1990 as amended by Act 14 of 1994. The particulars are that, Mr. Jemmy Lebon, on Friday 8th February, 2008 at Anse Royale, Mahe was trafficking in a controlled drug by virtue of having been found in possession of 69.1gs of cannabis, which gives rise to the rebuttable presumption of having possessed the said controlled drug for the purpose of trafficking.

This case has now come up for hearing and Mr. Durup (State Counsel) submits that he is not ready to prosecute it today but on the 25th, 26th and 29th September, 2008 the other dates allocated for trial because his witnesses, especially the police officers have not turned up in Court. He therefore, applied for an adjournment of the case to the new trial dates earlier on fixed. Additionally, Mr. Durup moved the

Court not to extend the remand of the accused in custody but to have him released on bail, albeit on stringent conditions.

Accordingly, the application is granted and the accused is hereby admitted to bail and shall be released on the following conditions;

1. The accused should enter a bail bond in the sum of Rs. 20, 000/- with two sureties to be approved by the Court.
2. The accused should not leave the jurisdiction of Seychelles without an order of this Court.
3. The accused should not interfere with the witnesses or the course of justice in this case in any way or get involved in any criminal activity.
4. The accused should surrender his passport or any travel document issued to him to the Registrar of the Supreme Court before the release order is signed.
5. The accused should report to the nearest police station being the Central Police Station every Monday and Friday before midday.
6. If any of these conditions are breached this order for bail will be revoked and the accused will be remanded in custody.

The Registrar is to convey this order to the Director of Immigration and the Commissioner of Police.

D. GASWAGA
JUDGE

Dated this 2nd day of June, 2008.