

IN THE HIGH COURT OF SWAZILAND

REVIEW CASE NO.13/92

In the matter of:

REX

VS

MFANUVELE BONIFACE NKAMBULE

Manzini District

22/4/92

ORDER ON REVIEW

DUNN J.

The accused was convicted by the Magistrate (Mr Nxumalo) at Manzini on a charge of theft of 24 sheep in contravention of the Stock Theft Act No.5 of 1982 as amended. He was sentenced as follows -

2 years of imprisonment without the option of fine. Half of the sentence will be suspended for 3 years conditionally.

The evidence led by the crown proved the commission of the offence to which the accused had pleaded guilty. The conviction is accordingly confirmed on review. The sentence calls for some correction in that the conditions on which a portion of the sentence was suspended were not spelt out. The sentence is altered to read -

/The accused ...

The accused is sentenced to 2 years imprisonment.  
Half the sentence is suspended for 3 years on condition  
that the accused is not convicted of any contravention  
of the Stock Theft Act No.5 of 1982 committed during  
the period of suspension.

The accused is to be brought before the Magistrate to have the  
effect of this order explained to him.

  
B. DUNN  
JUDGE