

CRIM. CASE NO. 68/01

REX

AND

MANUEL JOE SIBIYA MICHAEL
VINCENT KHOZA-

CORAM

FOR THE *CROWN*

FOR THE ACCUSED PERSONS

K.P. NKAMBULE-J

MR. MASEKO

MR. SIMELANE

RULING ON EXTENUATING CIRCUMSTANCES 18/6/04

The Accused were jointly charged with a total of seven counts. They were found guilty of four counts of murder.

The Accused No. 1 maintained throughout the trial that he did not participate in the commission of the offences. That it was one Bongani Vilakati who committed the murders and that he and Accused No. 2 *only* helped in the burial of the four victims.

and the circumstances underwhich the deceased were killed, discharged the onus of showing that extenuating circumstances exist. I accordingly find that extenuating circumstances exist in this case.



K.P. NKAMBULE

JUDGE