

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CRIM. APPEAL NO. 50/07

In the matter between

SAM DU PONT

APPELLANT

VS

REX

CORAM

MAMBA 3

FOR THE APPELLANT

IN PERSON

FOR THE CROWN

MR. M. SIMELANE

SENTENCE 18th

JUNE 2007

[1] You were convicted of rape by the Magistrate Court on the 30th day of November 2006. The conviction is related to the young girl who was your granddaughter. You started molesting her whilst you were still living in the same house or same room with your wife, who was her grandmother. This went on for a long period, you would normally rape her

in the morning after her grandmother had left the house for work. And she would cry, each time you did this to her until on a certain day, concerned neighbours decided to investigate and at one occasion one of the neighbours who shared a semi-detached house from where you and the complainant lived went in and found you actually raping this young girl. I have gone through the file and I have noted all the evidence therein, including your plea in mitigation.

[2] You raped a very young girl over whom you stood in loco parentis-parental authority. You raped her within the sanctuary of her house. Such cases are prevalent these days in this jurisdiction and such perpetrators do not deserve lenient sentences.

[3] You are therefore sentenced to a term of 13 years of imprisonment with effect from the 5th July 2005, that being the date of your arrest.



AMBA J