

**IN THE HIGH COURT OF SWAZILAND**

HELD AT MBABANE

Criminal Case No. 111/2005

REX

Vs

JERRY STHOTHOBALA MKHONTO

Coram: S.B. MAPHALALA - J

For the Crown: MR. S. FAKUDZE

For the Accused: IN PERSON

JUDGMENT

19<sup>th</sup> March 2008

[1] On the 19 October 2007, the Applicant was granted bail of E1 5, 000-00 in terms of the amended Criminal Procedure and Evidence Act. He had written an undated letter where he sets out his personal circumstances. That on the 25<sup>th</sup> June 2004, he was arrested by the Mbabane Serious Crime Unit (Lukhozi) and was charged with seven (7) counts of murder, arson, theft, robbery, housebreaking and theft. After his arrest he was brought before the Mbabane Magistrate Court. On the 8<sup>th</sup> August 2005, he was committed to the High Court for trial.

[2] The Applicant avers that his application is in terms of Section 136 (1) of the Criminal Procedure and Evidence Act as amended. In his letter he has outlined his personal circumstances at some length. In the last paragraph thereof he has requested the court to give him bail suitable to his circumstances.

[3] In court on the 19<sup>th</sup> October 2007, the Applicant stated that the amount of E1 5, 000-00 was far beyond his capacity such that he cannot afford to pay the bail.

[4] I have considered the arguments before me and it appears to me on the facts of the matter that the Applicant bail be reduced to E1, 000-00 and to provide sureties in the sum of E14, 000-00 and to enter into Recognizances with the Crown accordingly.

**S.B. MAPHALALA – J**

**JUDGE**