

IN THE COURT OF APPEAL OF SWAZILAND

HELD AT MBABANE Appeal No. 26/2002

In the matter between

ALFRED MADLEMBE SIHLONGONYANE Appellant

Vs

THE KING Respondent

Coram BROWDE, JA

BECK, JA

ZIETSMAN, JA

For Appellant

For Crown

JUDGMENT

BROWDE, J

In this matter the appellant was charged with having raped a female child of about 8 years. The evidence of his guilt was overwhelming. It is not surprising that the appellant does not wish to say anything about the merits of the appeal itself. What he argued before us was the question of sentence. He submitted that the sentence of 12 years imprisonment was excessive. He appeared to be oblivious of the fact that his sentence was backdated to the 5th of September, 1999 that is the date when he was arrested. When this was pointed out to him he seemed to be satisfied, since he could add very little other than to say the sentence was too harsh.

In my opinion the sentence is a proper sentence and that raping a young child is a heinous crime which cannot be tolerated in any society.

Consequently this appeal is dismissed and the conviction and sentence are confirmed.

BROWDE, JA

I agree

BECK, JA

I agree

ZIETSMAN, JA

GIVEN AT MBABANE this 4th day of November, 2002