

IN THE HIGH COURT OF SWAZILAND

CRIM. CASE NO. 20/97

IN THE MATTER BETWEEN

REX

VS

ERIC MFANALENI MATSABA

CORAM S.B. MAPHALALA - A J

FOR CROWN MISS NDERI

FOR DEFENCE IN PERSON

SENTENCE

(04/08/97)

I have considered all your personal circumstances in arriving at a proper sentence in this case. That you pleaded guilty to this offence and to me this shows that you are remorseful for what you have done. Secondly that you are a first offender, and I also taken into consideration that you have three minor children and that you are married and your wife is unemployed. I also taken into consideration that you are a sickly person, and also taken into consideration that the deceased in this case was the aggressor, and you stabbed him trying to defend yourself. Clearly from the facts before me there is no intention on your part. In the circumstances I am going to sentence you to a sentence that a portion of it is going to be suspended. I will sentence you to five years imprisonment, and four years of which is to be suspended for the period of three years on condition that you are not convicted of an offence in which violence is an element committed during the period of suspension. The sentence is backdated to the 4th November, 1996.

S.B. MAPHALALA

ACTING JUDGE