

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CRIMINAL CASE NO. 92/05

In the matter between:

REX

V

CELUCOLO TSABEDZE

CORAM: Q.M. MABUZA -J
FOR THE CROWN: MR.S. FAKUDZE
FOR THE ACCUSED: IN PERSON

**JUDGMENT ON SENTENCE
6/11/06**

[1] The deceased was your younger brother and he was only 19 years old. This means that you effectively cut off his life in its prime.

[2] You were the older and you should have acted wisely by leaving his presence or even hitting him with your fists after all he hit you with the handle of the axe and not the head which is the lethal part. The evidence shows that you hit him after you had been separated.

[3] You are sentenced to 10 years imprisonment, 1 year of which is suspended for 3 years on condition that you are not convicted to any offence of which assault is an element during the period of suspension.

[4] The sentence is backdated to 20/10/04.

Q.M MABUZA -J