

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CRIMINAL CASE NO. 114/05

In the matter between:

REX

VS

SENZO MSANE

CORAM:

Q.M. MABUZA -J

FOR CROWN :

MR. S. FAKUDZE

FOR ACCUSED:

MR. B.J. SIMELANE

SENTENCE 6/11/06

[1] In passing sentence I have taken your personal circumstances into account as submitted by your attorney.

[2] I have also taken the crime itself into consideration. The culture of drink and kill must stop. Otherwise our nation is constantly decimated by these unnecessary deaths which are alcoholic related. After you related to the deceased's elder brother and he was not responsive you should have gone to the police and reported the matter there. You should not have taken matters into your own hands. The medical report says that death was due to stab wounds to the chest and abdomen. This to me far exceeds the slaps that the deceased administered to you.

[3] I have also taken the interests of society into consideration. I think that society expects me to pass an appropriate sentence.

[4] I sentence you to 10 years imprisonment 2 years thereof are suspended for 3 years on condition that you are not convicted of any crime wherein assault is an element.

[5] The sentence is backdated to 20/2/05. You have a right to appeal against the sentence.

Q.M. MABUZA
JUDGE