

SOUTH AFRICA / JUDGMENT

S v Mvubu (A03/09) [2009]

ZAGPPHC 304 (25 September 2009)

[2009] ZAGPPHC 304

COURT

North Gauteng High Court, Pretoria

BEFORE

Southwood, E Bertelsman

CASE / FILE NUMBER

A03/09

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IN

THE HIGH COURT OF SOUTH AFRICA

(NORTH

AND SOUTH GAUTENG HIGH COURT, PRETORIA)

Date: 25 September 2009
High
Court Ref No.: 102S
Magistrate'sa
Serial No.: 12/09
Case
No.: A03/09
MAGISTRATE
THE
STATE v CHARLES WITNESS MVUBU
REVIEW

JUDGMENT

SOUTHWOOD J

- [1] On 29 April 2009 the accused was found guilty of theft in the Tonga magistrate s court and sentence to a fine of R1 000-00 (one thousand rand) or one year imprisonment, wholly suspended for 5 (five) years on condition that the accused is not found committing the same offence in future
- [2] The conviction is in order but the formulation of the suspensive condition for the sentence must be corrected.

ORDER

[3] (I) The conviction is confirmed

(II) The sentence is set aside and replaced with the following

'A fine of R1 000-00 (one thousand rand) or 1 (one) year imprisonment wholly suspended for 5 years on condition that the accused is not again found guilty of theft committed during the period of suspension ,"

B.R. SOUTHWOOD

JUDGE OF THE HIGH COURT

I agree

E BERTELSMAN

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