
SOUTH AFRICA / JUDGMENT

S v Thete (A556/15) [2015] ZAGPPHC 994 (18 August 2015) [2015] ZAGPPHC 994

COURT

North Gauteng High Court, Pretoria

BEFORE

A.A. Louw, D.S. Molefe

CASE / FILE NUMBER

A556/15

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IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

NOT REPORTABLE

NOT OF INTEREST TO OTHER JUDGES

DATE: 18/8/15

CASE NUMBER: A556/15

High Court Ref No.: 356/2015

Case No.:

RH05/2013

In the matter between:

THE STATE

and

MUSA THETE

SPECIAL REVIEW JUDGMENT IN TERMS OF SECTION 304(4) OF THE CRIMINAL PROCEDURE
ACT, 51 OF 1977

A.A.L OUW J

[1] On 10 July 2015 this case was sent for special review by Ms E.M. Theron Aspirant Regional Magistrate

Thulamahashe.

- [2] The Honourable Magistrate states that she erroneously imposed a sentenced of six (6) years imprisonment in terms of section 276(1)(i) of the CPA instead of five (5) years imprisonment.
- [3] She quite correctly sent this case for special review - see section 276(1)(i) of the CPA read with section 73(7)(a) and (b) of the Correctional Services Act, 111 of 1998.
- [4] The term of imprisonment therefore has to be altered to five (5) years.

Order

1. The term of six (6) years imprisonment is set aside.
2. It is substituted with a term of imprisonment of five (5) years in terms of section 276(1)(i) of Act 51 of 1977.
3. The effective date of the sentence remains 2 June 2015

A.A. LOUW

Judge of the High Court

I agree

D.S MOLEFE

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