

CASE NO.: CR 62/2008

IN THE HIGH COURT OF NAMIBIA

In the matter between:

THE STATE

VS

IVAN PURISAMUB

(HIGH COURT REVIEW CASE NO.: 876/2008)

CORAM: NDAUENDAPO, J et SILUNGWE, AJ

Delivered on: 2008.06.10

REVIEW JUDGMENT

SILUNGWE, AJ

[1] The accused was convicted of stock theft in contravention of section 11(1)(a) read with sections 1, 14 and 17 of the Stock Theft Act, Act 12 of 1990 (as amended by Act 19 of 2004) and sentenced to two years imprisonment, one year of which was conditionally suspended.

[2] The formulation of the order of suspension is incomplete in that it reads: "... that accused is not convicted of C/S 11 of Act 12 of 1990 ...". Accordingly, the sentence is varied to read:

"Two years imprisonment, one year of which is suspended for three years on condition that the accused is not convicted of stock theft committed during the period of suspension."

SILUNGWE, AJ

I agree

NDAUENDAPO, J