

Media Statement



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TO: ALL MEDIA

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RE: GANG MEMBER GETS LIFE IMPRISONMENT AND SIX YEARS FOR A BRUTAL MURDER

Once again, the Port Elizabeth High Court successfully convicted and sentenced a gang member from the Northern Areas of Port Elizabeth to life imprisonment and six years for the brutal murder of Constable Janiel Daine. There was a sigh of relief from the court when the judge delivered his judgement. According to court papers, Leroy Tshakatsha (23) from Barberry Drive Kleinskool in Port Elizabeth is affiliated to the Kakmakers Gang and was arraigned in the PE High Court on charges of murder, unlawful possession of firearm and ammunition.

It is further revealed that, despite the accused being arrested minutes after the shooting of the deceased, in possession of the firearm, which was ballistically linked to the scene as well as having a touch DNA of the accused and testing positive for primer residue on his hands, the accused still maintained his innocence and pleaded not guilty.

According to court papers, this incident took place on 18 March 2015 at approximately 20h00, when the deceased accompanied a male person to the premises at Bushfig Street, extension 22, Bethelsdorp consisting of a spaza shop and a main house. The said male bought cigarettes whilst the deceased waited inside the yard of the spaza shop. The accused in this matter arrived at the shop with a male person namely Janiel Martin. The accused took out a firearm, approached the deceased and shot him in the head. The deceased fell to the ground and accused continued to fire more shots at the body of the deceased.

The cause of death was determined to be a head injury due to gunshot. The accused and Martin fled the scene and coincidentally police members namely Sergeant Lee Joubert, Constable Mlungisi David and other police members were nearby Bushfig Street attending to another murder scene when they heard numerous shots being fired. They

rushed to the direction of where the gunshots came from and saw the accused and Martin coming through an ally that joins Bushfig Street.

The police apprehended them. Sergeant Joubert found a 9mm Parabellum Taurus firearm, a magazine and 12 rounds of ammunition lying in the grass next to the ally. Primer residue tests were performed on hands of the accused shortly after the arrest, and this was positive, also accused was positively linked through Touch-DNA on the recovered firearm. Also the cartridges found on the scene of the murder were fired from the recovered firearm.

On 21 September 2017, the accused was convicted of premeditated murder and unlawful possession of firearm and ammunition and sentenced to life imprisonment on the murder charge and six years imprisonment on the unlawful possession of firearm and ammunition. Advocate Andre Canary represented the state and Constable Nqweniso was the investigating officer.

The DPP applauded the sterling job in securing a conviction by Advocate Canary and Constable Nqweniso.

The NPA welcomes the sentence.

Kind Regards,

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