

Media Statement



Tel: +27 12 845 6000

Email:
media@npa.gov.za

Victoria & Griffiths
Mxenge Building
123 Westlake Avenue
Weavind Park
Silverton
Pretoria

www.npa.gov.za

TO : ALL MEDIA

DATE : 14 JUNE 2010

RE : NPA SUCCEEDS IN APPEAL AGAINST LENIENT SENTENCES IMPOSED ON RAPE COUPLE

On Monday 14 June 2010 the North Gauteng High Court sitting as appeal court, increased initial sentences that were imposed on Danny Pillay and Kamini Pillay by Pretoria Regional Court in 2009. This was after the State, represented by Adv Mervyn Menigo appealed against the initial sentences as we considered them too lenient for the crimes committed. The accused persons had been given non-custodial sentences, with accused No1 receiving three (3) years correctional supervision while accused No.2 had received an unconditionally postponed sentence.

The appeal judges Phatudi J and Mokota AJ increased their sentences to an effective 5 years imprisonment for No.1 and 3 years imprisonment wholly suspended for 3 years for No.2. In setting aside the sentences, the judges found that the initial sentences were shockingly inappropriate. The implication of this judgement is that accused No.1 has to report to the clerk of the court in Pretoria where he will be committed to prison to serve his sentence.

Accused No.1 had been convicted of rape and indecent assault while his wife was convicted of indecent assault in May 2009 and sentenced in June 2009. Evidence presented by the prosecutor during trial was that the complainants who were sisters aged 18 and 19 years at the time and related to the accused, visited the home of the accused in Elandspoor in

Justice in our society, so that people can live in freedom and security

Pretoria on the evening of 7 November 2007. They were unwittingly given alcohol to consume and thereafter one of them was raped and indecently assaulted while the other one was only indecently assaulted.

The NPA will meticulously exercise its right to appeal against all sentences that are viewed to be shockingly inappropriate and undermining the proper administration of justice. The NPA will therefore work tirelessly to ensure that justice is not only done but manifestly seen to be done.

Issued by:

Adv Mthunzi Mhaga

NPA Spokesperson

0721986863

mcmhaga@npa.gov.za