

# Media Statement



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**TO: ALL MEDIA**

**DATE: 07 SEPTEMBER 2018**

**RE: KILLERS SENTENCED TO LIFE**

Today, the Mthatha High Court sentenced Andile Maguma (37) and Sonwabo Nozajwe (35) to serve an effective life imprisonment term after convicting them of murder and a string of other offences relating to the killing of a patron inside a crowded Mthatha tavern six years ago.

Maguma was sentenced to life on a count of murder, two years for theft and three years for possession of a firearm with intent to commit an offence. Additional to the life term for murder, Nozajwe, was sentenced to three years for possession of a firearm and ammunition and twelve months for possession of stolen property. The court ordered all the sentences to run concurrently with the life sentence while further declaring the duo unfit to possess a firearm.

Evidence presented in court is that, the convicted murderers were friends with the deceased. On 09 February 2012, there was a housebreaking and theft at a house in Ikhwezi Township, where the deceased and another man resided. Valuable items, including a 102 cm plasma television set and Radio were stolen and the deceased opened a case with the police and told them he suspected Maguma.

On the night of 17 March on the same year, the deceased was enjoying drinks with his friends at Barumba tavern when he told one of his friends not to speak to Maguma and Nozajwe because they had stolen from him. An argument ensued between the deceased and his two would-be killers resulting in Nozajwe pointing a firearm at the deceased. The manager of the tavern managed to disarm Nozajwe but later gave back the firearm to him when the argument had seemed to die down. Nozajwe handed the firearm to Maguma who then shot the deceased inside the tavern's VIP lounge, in full view of other patrons, and exited. He returned a short while later and found that the deceased was still alive, and shot him twice, killing him instantly.

Police investigations later confirmed that it was Maguma who broke into the house of the deceased. The murder weapon was recovered hidden inside the bonnet of a Golf motor vehicle, which Nozajwe claimed to his, but police investigation found it to be a stolen vehicle. The firearm had also been stolen from a house in Qunu village during a house robbery a month earlier. Inside the same vehicle, police recovered 29 stolen bankcards and counterfeit cards with data that belongs to other people. Some of the items stolen during the housebreaking at the house of the deceased were also recovered.

During trial, the two pleaded not guilty, claiming to have left the tavern before the shooting took place but their version was found to be highly improbable when tested against the evidence of witnesses led by State Advocate, Luvuyo Pomolo.

Sentencing the murderers, Judge Zamani Ntlangulela found no compelling circumstances for deviating from the minimum prescribed sentence of life imprisonment for premeditated murder and noted; "They (Maguma and Nozajwe) went up to killing the deceased in a gruesome, cold-blooded and callous manner using a very deadly weapon. They fired not just one shot but many shots with a clear intention to ending a life. They spared no mercy to the deceased even when he was pleading for forgiveness and running away from one end of the bar lounge to the other in an attempt to avoid being hurt." About Nozajwe's role, the judge stated; "The difference in participation between him and Maguma in committing the murder is marginal, to say the least: one handed over the firearm to the other to shoot the deceased; their motives and intention to terminate life having been exactly the same".

The NPA welcomes the sentence.

Kind Regards,

**Luxolo Tyali**

**Regional Spokesperson: DPP Mthatha**

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