

Media Statement



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TO: ALL MEDIA

DATE: 24 AUGUST 2017

RE: LENGTHY IMPRISONMENT FOR ARMED ROBBERY

State Prosecutor, Muhammad Mxolisi Noyi secured a lengthy direct imprisonment sentence for four men who were arrested after a failed robbery of a fast food chain through his argument on the prevalence of armed robberies, the impact of such crimes on the victims and the strong message the courts need to send to the community and other would be robbers. As a result, the Bellville Regional Court sentenced Luthando Mjabeka (24), Yonela Mhlanganiso (26), Anathi Nombuthuma (33) and Thembinkosi Zumani (29) to 22 years direct imprisonment.

The four were convicted on charges of robbery with aggravating circumstances, possession of unlicensed semi-automatic firearm and possession of ammunition. They robbed McDonalds Restaurant in Durbanville in April 2015. They were arrested on the scene with R12 500.

The state led eleven witnesses and the accused denied any involvement despite being arrested on the scene with the loot. Through preparation, research and argument, the state managed to secure a conviction in all counts despite the fact that the evidence in relation to count 2 and 3 was pointing to accused four only. "I managed to convince the court to convict all four because of the principle of joint possession. I argued for a sentence and stressed that there were no reasons/circumstances to persuade the court from deviating from the minimum sentence as prescribed in Act 105/97 (case law cited in support of my argument)", Noyi said.

Magistrate Marx agreed with the arguments and sentenced all the accused to 15 years imprisonment for count one; 15 years for count two and a year for count three. He ordered that the sentence of count three and 8 years of count two must run concurrently with count one that means an effective 22 years imprisonment for all four accused. The court also declared them unfit to possess a firearm in terms of Act 60/2000.

The NPA welcomes the sentence.

Kind Regards,

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