

# Media Statement



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**TO: ALL MEDIA**

**DATE: 13 AUGUST 2021**

**RE: MURDERER AND ARMED ROBBER SENTENCED TO LIFE**

The High Court of South Africa: Western Cape Division has sentenced Mzimasi Marasha to life and 25 years imprisonment following a strong argument by the prosecutor that public interest must be properly served in the sentencing of the dangerous criminal.

Marasha was convicted for murder of Patrick Castle, robbery with aggravating circumstances, illegal possession of a firearm and illegal possession of ammunition. This morning, he was sentenced to life imprisonment for the murder of the security guard, Castle, 15 years imprisonment for robbery with aggravating circumstances, 5 years imprisonment for illegal possession of a firearm and 5 years imprisonment for illegal possession of an ammunition.

The State Advocate, Alfred Isaacs told the court that on Monday, 01 May 2017 a group of men armed with firearms threatened security guards near the entrance of a Shoprite store at Nyanga Junction in order to gain access to the store. Inside the store, they held security guards, management and staff members hostage. They forced the store manager to open the cash office and took an undisclosed amount of cash, destined for SASSA pay outs. They also took computer equipment, cellular phones and clothing belonging to staff members.

The store manager alerted the security company responsible for protecting the premises who, in turn, contacted the police. A 45-minute shootout occurred between the robbers, the armed response company and police.

Marasha was wounded during the shootout and taken into custody at the scene of the crime. His DNA was found on a cap collected at the crime scene. One robber was killed hiding in the roof of Shoprite by the police when he shot at the police.

In aggravation of sentence, Advocate Isaacs called a Crime Analyst employed by Shoprite. The analyst told the court that there were 186 armed robberies of Shoprite Stores during the 2017 financial year. As a result of these armed robberies, 8 people were killed. The Western Cape reported the highest number of armed robberies and 62% of fatalities that occurred during that financial year during the armed robberies occurred in the Western Cape province.

The state's third witness, Colonel Jam-jam gave a bleak picture on robberies with aggravating factors and murders in the Western Cape. He told the court that there were 2 033 robberies with aggravating circumstances involving non-residential premises during the 2017 financial year.

Advocate Isaacs urged the court to sentence Marasha to life imprisonment as there were no substantial and compelling circumstances persuading the court to deviate from the prescribed minimum sentences for murder and robbery with aggravating circumstances. He further argued that the accused did not show any remorse.

"He must be sentenced to life imprisonment for the murder of Mr Castle and receive the prescribed minimum sentence for the robbery with aggravating circumstances. Public interest must be properly served in the sentencing of this particular offender taking to account the crimes he committed," he argued.

This case proved to be a challenge for prosecution as some witnesses were threatened. One of them received a Facebook friend request from the accused.

"I had to get one witness arrested for refusing to come to court and testify. The witness still refused to testify after being arrested. We had to let their evidence stand down and let the investigating officer take the stand and testify about their statements as well as identification parade that was recorded. Fortunately, video footage evidence was of assistance. One witness was killed during the trial," quipped Advocate Isaacs.

The Acting Director of Public Prosecutions in the Western Cape, Advocate Nicolette Bell commended Advocate Isaacs for his hard work and tenacity to ensure that criminals like Marasha received prison sentences that fit their crimes.

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