

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: 22 MAY 2018

RE: RAPIST SENTENCED

Last week, the Nelspruit Regional Court sentenced Simon Innocent Magagula (31) to 15 years direct imprisonment after he was convicted of raping a 22 year old woman. The incident happened in 2009 in KaNyamazane where the accused raped the victim in her own home.

The accused's identity was unknown but was linked by DNA from the laboratory as he was arrested on another rape and robbery case and was sentenced to 15 years imprisonment in 2011. The accused was brought before court and was charged with a rape that happened in 2009.

During the trial, Prosecutor Thulani Msibi presented evidence of the complainant, the evidence of the complainant's sister and the DNA evidence and the accused was convicted as charged.

During cross examination, the accused pleaded not guilty as he wanted to try his luck and hoped that the state will not be able to prove the DNA evidence. Magagula later admitted that the long arm of justice was underestimated and wished to apologise for the offence as he admitted that he did rape the complainant. The state further argued that as a second time offender the prescribed minimum sentence must be imposed and that there are no compelling and substantial reasons to deviate from it.

Handing down the sentence, Magistrate Joubert, told court that the accused is clearly a danger to society as the attack took place in broad daylight at the sanctuary of the victim's own home. The court found no reason to deviate from the prescribed minimum sentence and imposed 15 years direct imprisonment. The magistrate further ordered that Magagula starts serving these 15 years after the expiration of the sentence he is currently serving.

The NPA will continue to strive for justice for vulnerable women and children.

Kind Regards,

Monica Nyuswa

mnyuswa@npa.gov.za

DPP Mpumalanga Spokesperson

013 7526944