

IN THE SOUTH GAUTENG HIGH COURT

JOHANNESBURG

CASE NO: A301/12

DATE: 2012-11-08

In the matter between

STATE

Plaintiff

and

THUTHUKANI NDLAZINI

Defendant

JUDGMENT BAIL PENDING PETITION TO SCA

WILLIS J:

[1] There is an order in terms of the draft marked 'X'. For the sake of completeness, I read this order into the record. It is ordered:

- 1) That the appellant's bail pending petition to the Supreme Court of Appeal in an amount of R20 000-00 is extended.
- 2) The appellant must further comply with the following conditions:-
 - a. That the appellant's address for service of process is BDK Attorneys, 84 Market Street Johannesburg and 6 North Street Dannhauser, Kwazulu/Natal.

- b. Should the appellants address be changed he must, within 24 hours, notify the Registrar of the South Gauteng High Court and the Clerk of the Court, Johannesburg in writing per registered mail of any alternative address. The onus to satisfy himself that the Registrar of the South Gauteng High Court and the Clerk of the Court Johannesburg has received such notification of change of address shall be on the appellant.
- c. Should the telephone numbers of the appellant (which he furnished to the Clerk of the Court Johannesburg) change, the appellant must, with immediate effect, furnish the said Clerk of the Court and the Registrar of the South Gauteng High Court with his new contact numbers.
- d. The appellant's bail is extended on condition that he files the petition to appeal within 21 days to the Registrar of the Supreme Court of Appeal (the said 21 days will expire on 6 December 2012).
- e. Should the appellant fail to file a petition to the Supreme Court of Appeal by 6 December 2012, the appellant shall surrender himself to the Clerk of the Court Johannesburg, (Room G72), at the Johannesburg Magistrate's Court not later than 10h00 on 7 December 2012 for the imposed sentence to be served.
- f. Should the appellant's petition to the Supreme Court of Appeal be unsuccessful, the appellant shall surrender himself within 48 hours to the Clerk of the Court, Johannesburg, (Room G72), at the Johannesburg Magistrate's Court for the imposed sentence

to be served.

- g. That the appellant remains at the residential address 6 North Street, Dannhauser Kwazulu/Natal pending the finalisation of the petition pending appeal.

For the sake of completeness, I record that it is so ordered.

BASHALL J: I agree.

[2] WILLIS J: Obviously, you must move, as they say in Latin, *quam celerrime*, (with all possible speed) to get the judgment that we delivered yesterday transcribed. I can give you the assurance that if it is sent to me by email you will get it back within 24 hours.

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TRANSCRIBER'S CERTIFICATE

I, the undersigned, hereby certify that, *in as far as it is audible*, the foregoing is a true and correct transcription of the proceedings recorded by means of a digital recorder in the matter of:

STATE

versus

THUTHUKANI DLANZINI

| | |
|--------------------------------|--------------|
| <u>CASE NUMBER:</u> | A301/12 |
| <u>RECORDED AT:</u> | JOHANNESBURG |
| <u>DATE HELD:</u> | 2012-11-08 |
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1. Names not spelt for the record have been typed phonetically.



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