

# **SUPREME COURT OF APPEAL OF SOUTH AFRICA**

## **MEDIA SUMMARY – JUDGMENT DELIVERED IN SUPREME COURT OF APPEAL**

From: The Registrar, Supreme Court of Appeal  
Date: 1 October 2008  
Status: Immediate

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal.

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### **MONAGENG V THE STATE**

The Supreme Court of Appeal today dismissed an appeal against a judgment of the Bophuthatswana Provincial Division in which the appellant, a 37 year old man, had been convicted of the rape of his 15 year old cousin and sentenced to undergo 18 years' imprisonment.

The majority of the court held that the appellant's version was not reasonably possibly true and that it had been properly rejected by the trial court. The majority of the court held further that the sentencing court did not misdirect itself in imposing sentence and that 18 years' imprisonment was neither shocking, startling nor disturbingly inappropriate in the circumstances of the case.