



THE SUPREME COURT OF APPEAL
OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

1 June 2011

STATUS: Immediate

J PILLAY AND THE STATE CASE NO 739/10

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

The appellant, Ms J Pillay was convicted by the Regional Court, Durban on 34 counts of fraud and sentenced to 5 years in terms of s 2761(i) of the Criminal Procedure Act. This implies that she had to spend some period in custody prior to being released on parole. At the time of her sentence, she was 32 years old, first offender, employed as a legal secretary and had 6 children.

Her appeal to the KwaZulu Natal High Court failed.

The SCA set aside her sentence, remitted the matter to the Regional Court to impose sentence afresh after obtaining material evidence indicating what impact her incarceration will have on her children, if such sentence is imposed on her. Depending on the circumstances, the fresh sentence to be imposed might or might not, involve her incarceration.

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