



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

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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.

MAHLANGU v THE STATE

The Supreme Court of Appeal today dismissed an appeal against the conviction and sentence by the Regional Magistrate Johannesburg for the contravention of the Corruption Act 94 of 1992. The South Gauteng High Court had also dismissed the appeal from the regional court.

The two appellants, police officers, were convicted of soliciting and accepting a bribe from a suspect in a shooting incident. The

complainant, Mr Makhamba, a security guard, had shot and killed a suspected robber in 1998. The two appellants, one of them (Rametsi), was the investigating officer in this shooting incident. While investigating this matter, he was accompanied by his colleague (Mahlangu). They demanded a sum of R600 from Makhamba for them to withdraw the case, failing which they would arrest him.

Makhamba did not have the money, he approached his employer for help. The employer, as a good citizen, reported the matter to the Anti-Corruption unit of the SAPS. A trap was set up. The two appellants were arrested. Although Mahlangu fled the scene of the trap with the sum of R600 he was eventually arrested after about two years.

The SCA rejected their explanation that they visited Makhamba for purposes of recovering the fire-arm he used in the shooting, notwithstanding the fact that Makhamba had informed them that the fire-arm was robbed from him a long time ago.