

IN THE HIGH COURT OF LESOTHO
HELD IN MASERU.

In the matter between:

R E X

and

NTSANE LEROTHOLI
TSEPO LEROTHOLI
MANTOLO MOTSOANAKABA LEROTHOLI
MOLAPI MOTSANYANE.

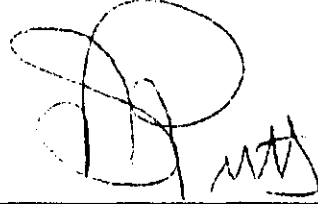
QUESTION OF LAW RESERVED IN
TERMS OF SECTION 15(1) OF THE
COURT OF APPEAL NO. 10 OF 1978.

JUDGE'S CERTIFICATE.

1. Whether this Court was correct in treating the Criminal liability of an accessory after the fact separately from that of the alleged principal offenders where they are charged jointly in an indictment;
or,
2. Whether the acquittal of the principal offenders on the grounds of insufficient and unreliable evidence a fortiori necessitated the acquittal of the accessory after the fact where he is not separately charged but there is sufficient, reliable and uncontradicted evidence to support his conviction as an accessory after the fact in terms of section 182(2) of the Criminal Procedure and Evidence Act No.7 of 1981 which states:

/"Any

"Any person charged with an offence may be found guilty as an accessory after the fact in respect of that offence if such be the facts proved, and shall, in the absence of any penalty expressly provided by law, be liable to punishment to which the principal offender would under any law be subject.

A handwritten signature in black ink, appearing to read 'S. Peete', written over a horizontal line.

S. PEETE.
ACTING JUDGE.