

CRI/T/0141/2017

IN THE HIGH COURT OF LESOTHO

HELD AT MASERU

In the matter between:-

REX

VS

THAPELO MOJI

CORAM : HON. T. MATOOANE ACTING JUDGE

DATE OF JUDGMENT: 27th APRIL, 2022.

RULING

Neutral citation:- Rex vs Thapelo Moji (No.1) [2022] LSHC 84 Crim. (27th April 2022)

Application for discharge after the Crown case was made in terms of ***Section 175 (3) of the Criminal Procedure and Evidence Act.***

The accused contends that there is no evidence to connect him with the crime after the Court has found his confession was not freely and voluntarily made.

There was no reply from Crown

For the legal position when such applications are made see **Rex v Manyeli LAC 2007 – 2008 p377 at 383.**

See also **S vs Shuping 1981 (2) SA 119 at 120.** I accordingly find that the accused should be discharged and acquitted.

The only regret is that the accused had stayed in detention since 2011 to date.

T. MATOOANE

ACTING JUDGE

For Crown : Mr Thaba

For Defence : Mr Masiphole