

**REPUBLIC OF SOUTH AFRICA
IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG**

Case Number: 2018/39035

(1) REPORTABLE: YES / NO
(2) OF INTEREST TO OTHER JUDGES: YES/NO
(3) REVISED: YES/NO

In the matter between:

LIBERTY GROUP LIMITED

Applicant

and

BOB SIHLE MANO

Respondent

JUDGMENT

[1] This application came before me, sitting in the urgent court. I enrolled the matter because, as will become apparent in this judgment, the very nature of respondent's conduct that gave rise to this application justifies expeditious intervention by the court. Matters which involve contempt of Court orders are, by their very nature urgent, because for every day that the respondent refuses or fails to comply with or abide the terms of the court order, the authority of this Court is undermined and the ends of justice are defeated. This is the fourth contempt of court application that applicant has brought against the respondent in what the applicant claims to be "*an ongoing campaign of contempt of court.*"

- [2] I shall deal with the background facts leading up to the present matter, later. But first, the relief sought by the applicant.

Relief Sought by Applicant

- [3] Applicant (“Liberty”) seeks a declaration that the respondent (“Mr Mano”) is in further and ongoing contempt of the order of this Court granted on 30 October 2018 (“the 2018 Order”) and in breach of the order of this Court granted on 22 August 2023 (“the 2023 Order”), both of which were granted by Justice Maier-Frawley, and in breach of the order of this Court granted by Justice Windell on 8 August 2024 (“the 2024 Order”).
- [4] The applicant also seeks to uplift the suspension of the 12 month order of imprisonment granted by Justice Windell in the 2024 Order and committing Mr Mano to jail for a period of 12 months. In addition, the applicant seeks to replit the suspension of the 10 month order of imprisonment granted by Justice Maier-Frawley in the 2023 Order and committing Mr Mano to jail for a period of 10 months to run concurrently with the period of imprisonment that is the consequence of the upliftment of the suspension order of Justice Windell’s order.
- [5] Applicant further seeks that Mr Mano be committed to jail for an additional 12-month period or such period as this Court deems appropriate, the 12-month period to commence running at the end of the period of imprisonment set out in the preceding paragraph of this judgment.
- [6] As for process, applicant seeks an order that applicant be granted leave to serve this application and any order granted by this Court electronically by way of email to the addresses [s\[...\]](#) and [k\[...\]](#). (As the application has already been served in this manner, this part of the relief really ask for an order condoning such service and declaring it to

have been proper service.) Applicant further seeks an order directing the Registrar of this Court to issue a warrant of arrest for Mr Mano and directing the South African Police Services to give effect to the warrant of arrest and to take Mr Mano into custody.

- [7] Lastly, applicant seeks costs of the application on the scale as between attorney and client.

Events Preceding the Present Matter

- [8] During October 2018 the applicant launched an urgent application against the respondent under the above case number seeking an order that the respondent be interdicted and restrained from:

- [a] sending vulgar, obscene, abusive, threatening or derogatory correspondence to the applicant and its employees including but not limited to its Chief Executive Officer, Chief Marketing Officer and other members of its executive management team ("the applicant's employees");
- [b] making verbal and physical threats against the applicant and its employees or their families;
- [c] causing physical harm, either directly or indirectly, to the applicant, the applicant's employees or their families; and
- [d] defaming or making untrue statements about the applicant or the applicant's employees.

- [9] The application was set down for hearing on the urgent motion court roll on 30 October 2018 and an order was granted by Maier-Frawley AJ (as she then was) on the

aforementioned terms. The respondent was ordered to pay the costs of the application on the scale as between attorney and client.

[10] On 31 October 2018, the sheriff of this Court served the Order on the respondent personally at his residential address.

[11] The respondent failed to comply with the terms of the Order and continued to make untrue and defamatory allegations about the applicant and to send vulgar and obscene correspondence to the applicant and its attorneys of record, Moodie & Robertson.

[12] Accordingly, on 23 January 2019, the applicant launched a second urgent application seeking an order that the respondent be declared to be in contempt of the Order and seeking an order that the respondent be committed to jail for a period of 6 (six) months or such period as the Court deemed appropriate, alternatively that he be ordered to pay a fine of R50 000 (fifty thousand rand) or such amount as this Court deemed appropriate ("the first contempt application").

[13] The first contempt application came before Mahalelo J in the urgent court on 5 February 2019. Having stood the matter down to 7 February 2019 to receive submissions from the respondent in person as to why he should not be committed to jail, Mahalelo J granted an order in the following terms:

The respondent was committed to undergo imprisonment for a period of 6 (six) months. The period of imprisonment imposed on the respondent was suspended for a period of one year on condition that the respondent complied with the terms of the Order. The respondent was ordered to pay the costs of the application on the scale as between attorney and client.

[14] The respondent was in court when the Mahalelo Order was handed down and he was therefore apprised of its terms.

- [15] In addition, on 11 February 2019, Moodie & Robertson served a copy of the Mahalelo Order on the respondent by email to his then personal email address namely *b[...]*.
- [16] The second contempt application was served on the respondent via email. After the granting of the Second Maier-Frawley Order, this order was similarly served on the respondent by email on 23 August 2023 to his various email addresses in accordance with the Second Maier-Frawley Order.
- [17] The third contempt application was served on the respondent by the sheriff of this court. At the time of service the respondent was serving a two-month sentence for contempt of the Second Maier-Frawley Order in the Department of Correctional Services Boksburg. The respondent opposed the application and delivered answering affidavits. He was also brought to court for the hearing of the urgent application before Windell J and made oral submissions in his defence.
- [18] Moodie & Robertson received the judgment handed down by Windell J ("the Judgment") from her secretary on 8 August 2024 and served it by email on the respondent at his various email addresses. The judgment was attached to a copy of the email from Moodie & Robertson to the respondent.

Further Contempt of the Order

- [19] Notwithstanding three previous findings of contempt of the Order which were made against him the respondent, after a temporary period of quiet, continued to ignore the provisions of the Order and began addressing emails of an offensive, harassing and defamatory nature to the applicant and its representatives and staff on a regular basis,

since approximately the middle of December 2024. Mr Mano demonstrated that he had no intention to comply with the terms of the Order and that he remained intent to pursue his campaign of harassment and contempt of this Court.

[20] On 12 December 2024 the respondent addressed an email to his usual list of recipients (numbering approximately 566) in which he specifically addressed the applicant's CEO, Mr Yuresh Maharaj ("Mr Maharaj"), accusing Mr Maharaj and the applicant of having hacked his email and facebook accounts. In his email, the respondent stated that he considered Mr Maharaj to be a failure.

[21] In the same email the respondent referred to the applicant's Head of Legal, Ms Yvonne Perumal ("Ms Perumal"), who has also previously been and continues to be an object of the respondent's attention and campaign of harassment.

[22] On 18 December 2024 the respondent addressed another email to his recipient list, again accusing the applicant's CEO, Mr Maharaj of "snooping" in his facebook and gmail accounts and threatening to obtain a protection order against Mr Maharaj. In the same email, the respondent again accused the applicant of "concept theft" and stated that he could claim millions of United States Dollars before going on to accuse the applicant of other criminal behaviour.

[23] These allegations stem from the respondent's mistaken and incorrect belief that the applicant has somehow "stolen" a proprietary "banner" concept which the respondent believes was invented by him. The applicant denies that it has engaged in any such conduct. What is more, and as was pointed out to the respondent by Windell J both during the hearing of the third contempt of court application and in her judgment, the respondent has numerous legal remedies which he can pursue, should he believe that the applicant has acted unlawfully. However, the respondent refuses to pursue such

remedies and engages, instead, in a campaign of defamation, harassment and abuse by means of emails sent to the applicant and copied to many other people, including politicians and captains of industry.

- [24] In an email dated 7 January 2025 the respondent again accused the applicant of having "*been in my facebook*" and went on to tell his recipients (which included representatives of the applicant, including Mr Maharaj and Ms Perumal) how he will eventually "be driven to fornicate with a rabbit". This is an example of the kind of vulgarity to which the respondent resorts in his numerous communications.
- [25] The respondent addressed a further email to his list or recipients (which includes representatives of the applicant, politicians and high-profile individuals) on 12 January 2025, again accusing Mr Maharaj of hacking his facebook account and email. In the same email the respondent writes about bringing a 100 million US dollar lawsuit against Standard Bank, which is the holding company of the applicant. On the papers before court the accusations of Mr Mano are unfounded.
- [26] On 21 January 2025 the respondent addressed a further email to multiple recipients, including representatives of the applicant and other individuals. The email contains various expletives and then goes on to accuse the applicant of having asked somebody to attempt murdering (presumably), the respondent. These allegations are serious and are not only false, but are defamatory and harmful to the reputation of the applicant. This much is apparent from the papers.
- [27] In an email of 27 January 2025 the respondent accuses Judge Windell of being biased and partial and goes on to state: "*Ruling was just to get the company of my d*ck, and perhaps for me to back off. Psssh. Her handsome face confused me.*"

[28] On 4 February 2025 the respondent addressed a further email to his recipient list, which included representatives of the applicant and other famous individuals, calling on Mr Maharaj to "*repent!*".

[29] On 6 February 2025, the respondent addressed an email to his recipient list, which includes representatives of the applicant and other influential individuals. After making numerous references to the Bible and then pasting extracts from a previous affidavit filed in support of the second contempt application, the respondent attempts to antagonise Mr Maharaj by attaching a previous email dated 11 August 2023 in which he made lewd references to Mr Maharaj's daughter and family members. This email is quoted in relevant part:

*"Mr Yuresh Maharaj,
You have to show me what else is in the Maharaj gene pool. Do you have any sisters, nieces in their mid 20s?
My previous partner was 3 years my senior. I feel K[...] [Mr Maharaj's daughter] might be too young for me.
4th year at Varsity?
It's likely to be an intensely physical relationship. An athletic girl is something I have always wanted.
Forget the banner.
BM [the respondent] wants to know more about your Maharaj women.
Is she always in KZN, CPT?
Let me know when she is in town. I am eager to make her acquaintance.
You blocked my email address.
Try to block my mighty cock!
Take that Mr. Maharaj!
I bet I can make her call me daddy as she bounces on my naked laps.
Take that Mr. Maharaj!
Okay, I think reciprocating by getting sleeping (sic) with both your girls would be a mean thing to do.
It may be beneath me, the King of Joburg.
Having passed the Playboy prince phase, I have to stop sowing wild oats, and focus on perhaps finding the One.
Motherhood becomes K[...] very nicely.
If I do decide to knock her up, I will do so after marriage."*

[30] And so Mr Mano carries on, in similar vein.

- [31] The content of this vulgar and obscene email speaks for itself. It bears mention that emails of a similar tenor that were sent by the respondent in which he made vulgar and inappropriate comments in relation to Mr Maharaj's daughters have been a feature of previous contempt of court applications brought against the respondent.
- [32] The nauseating vulgarity of these emails was raised by Judge Windell with the respondent during the hearing of the third contempt of court application during which Judge Windell attempted to impress upon the respondent the inappropriateness of the vulgar content which he publishes in respect of women. However, the Windell Order and the judgment appear to have had little impact on the respondent and have not deterred him from his campaign of making vulgar and defamatory comments.
- [33] On 14 February 2025 the respondent addressed a further email to his recipient list, which includes representatives of the applicant and other high-profile individuals, entitled "*Teflon Mano again crushes Liberty*".
- [34] Attached to this email were extracts of past affidavits and the respondent again accused the applicant of having accessed his personal messages and made various crude sexual statements. The respondent makes reference to the judgment of Windell J and accuses her of being biased. He goes on to accuse Windell J of a poor performance and of not reading the affidavits before her and makes statements such as "*F*CK THIS JUDGE*".
- [35] On 13 March 2025 the respondent addressed an email to Moodie & Robertson (applicant's attorney), copying his extensive recipient list, falsely accusing Ms Perumal, the applicant's Head of Legal, of perjury.
- [36] The respondent has been sending the attached emails to his extended list of several hundred people on a regular basis, sometimes sending several emails per day. The

emails attached to the founding papers clearly constitute breaches by the respondent of the court order and constitute further conduct in contempt of court by him.

- [37] In my view these emails demonstrate that the respondent has no intention of abiding by the terms of the order and that he is willing to continually breach the order, notwithstanding the fact that he has been found to be in contempt of the order on various occasions by three different judges.
- [38] The applicant continues to be the subject of defamatory and derogatory attacks by the respondent which are harmful to its reputation and its business. The applicant's reputation is damaged when these defamatory and derogatory emails are sent by the respondent to the representatives of other leading business institutions as well as regulatory bodies and government departments.
- [39] The respondent continues to target certain individuals at Liberty, such as Liberty's CEO (Mr Maharaj), erstwhile CEO (Mr Munro), Head of Legal (Ms PerumaI) and other executives, as well as executives of the Standard Bank Group (the applicant's parent company), wrongfully accusing them, amongst others, of committing criminal acts. It is clear that the respondent poses a continued threat to the reputation of the applicant and to the physical and mental wellbeing of its senior staff members, associates and their families.
- [40] Of necessity, the past conduct of Mr Mano and the facts dealing therewith, form part of the tapestry of facts and circumstances against which Mr Mano's conduct, including his intentions, must be judged. It is, of course, also relevant when considering whether or not the periods of suspension should be uplifted in light of the present application for contempt of court.

- [41] Applicant contends in its papers that Mr Mano has demonstrated that the orders of this Court have no rehabilitative effect and, as a result, the only alternative left is for the punitive effect of such orders to be felt by the respondent by his incarceration for the periods envisaged by the second Maier-Frawley Order and the Windell Order. Mr Mano's conduct, so applicant's contentions proceed, justifies an order that the respondent be committed to jail for a further period of 12 months or such period as this Court deems appropriate in addition to being committed to jail for the suspended portion of his sentences in terms of the Windell Order and the second Maier-Frawley Order.
- [42] The facts demonstrate that the respondent has sent emails directly to the applicant as well as to representatives of the applicant. He continues to target the applicant's legal representatives. The respondent intends for these emails to come to the attention of the applicant and continues to embarrass the applicant publicly by directing his emails to various government departments and senior executives of companies both in the financial services sector and entities listed on the Johannesburg Stock Exchange.
- [43] The contents of the emails sent by the respondent make untrue and defamatory statements about the applicant, its employees and representatives. These emails also contain obscene and abusive statements and utterances in breach of the terms of the Order. In an attempt to protect its employees, the applicant has placed a block on emails coming from email addresses which are recognisably connected to the respondent. This conduct of the applicant seems to be appropriate and an obvious attempt to alleviate the anguish caused by respondent's obscenities. Mr Mano would have none of this. The block is circumvented by the respondent by creating and using multiple new email addresses in order to target the applicant and its employees and representatives and to ensure that his obscene and offensive emails and threats come

to the attention of the applicant, its employees and representatives. This is a clear and deliberate campaign by the respondent in breach of the terms of the Order, notwithstanding the subsequent findings of contempt by Mahalelo J, by Maier-Frawley J and by Windell J.

[44] From the emails attached to this application it is evident that the respondent has also made offensive and derogatory statements in relation to Judge Windell which, in itself, constitutes contempt of this Court.

[45] The respondent has been found to be in contempt of court on three previous occasions. Yet, that has not deterred him. He continues with his campaign of harassment by sending abusive and obscene emails to the applicant. His current list of email recipients, who are copied on his vile and defamatory contents, account for several hundred people. The respondent's disregard for the authority of this Court and its judges, despite being fully aware that he is again in contempt of court, is blatant and provocative. The respondent has, by his ongoing conduct, made it clear that he has no intention of complying with the Court Orders.

Mr Mano's Deviant Behaviour

[46] I should say that the deviant behaviour of Mr Mano is striking, yet not to such an extent that there is sufficient foundation for this court to *mero motu* order a psychological assessment of Mr Mano. Applicant did not seek such an order. One cannot assume that all deviant behaviour has its source in a mental disorder. (See the judgment of the Full Court of the Western Cape Division in **Colin Ian Chaplin v Lauren Fine and Sheri Cohen**, Appeal Case No A115/2019, Court a quo Case No 5376/2018 delivered on 21 July 2020, Rogers J (as he then was) writing for the Court, at paras [195] to [197]).

On Service

- [47] In granting the applicant some previous orders, this Court has condoned the service of previous applications for contempt of court on the respondent by email. Throughout the history of this matter, it has been very difficult for the applicant to locate the respondent in order to effect personal service of applications on him. The respondent is exceptionally active on email, which he uses as his tool to communicate his contemptuous statements to the applicant and its representatives and staff and to the many people and organisations on his email list. All of this are apparent from the papers filed at court.
- [48] Also, when the applicant previously served court papers (including the previous contempt applications) on the respondent by email, such court papers have come to the respondent's attention. Only a few months prior to this application being brought, the respondent addressed an email to the applicant's attorneys of record, Moodie & Robertson, using the email address *s[...]*. A copy of this email was attached to the application papers.
- [49] In this matter the applicant again seeks leave of this Court to serve this application on the respondent by email to the email address: *s[...]* and to condone, insofar as it is necessary, the service of this application, and the order sought, by email.
- [50] It is a salutary practice of our courts that personal service of process is required in contempt of court proceedings, save in matters in which substituted service has been authorized. [See Rule 23(n) of the Eastern Cape rules of practice, referred to at para [35] of **Hayman NO v Minister of Home Affairs NO and Others** [2018] JOL

39974 (ECP).] The Practice Directive of this Court also require personal service in contempt proceedings.

- [51] I have also considered **Acacia Residents and Ratepayers Association v Florap (Pty) Ltd and Others** [2023] JOL 60105 (GP), where the contempt of court relief sought was postponed pending personal service of the application on one of the respondents.
- [52] In the present matter service was effected by email and by the sheriff attaching a copy of the application to the locked gate of Mr Mano's last known home address. Service of the papers in this manner flows from the known conduct of Mr Mano. He seems to enjoy playing a game of "catch me if you can" with the applicants who pursue him for the purpose of serving papers on him and those who endeavour to find him to execute the Court Orders made against him. No wonder that the applicant seeks an order that service of the application could be given by email in the manner that the applicant did.
- [53] On the facts before me, service by email in this matter would be far and away the most effective way of serving the application papers on Mr Mano. He seems to be a manner of man who's contact with the world, in large measure, is by email.
- [54] To my mind, the requirement that applications for contempt must be served personally on a respondent can, and should be, relaxed in circumstances such as the present. Mr Mano is toying with the Court. He is contemptuous of court orders and obviously relishes in being able to carry on with the defamatory and contemptuous emails to the applicant and its employees, to which hundreds of other people are copied in. His intentional conduct to evade personal service of court papers and court orders should not stultify the rights of applicants to protect themselves against such unlawful conduct. Nor should it be an impediment for the Court to protect its own dignity. In

my view the service of the application papers by email in this matter, as stated in this judgment and for the reasons given therein, amounts to proper service. To the extent necessary, service of the application by email in this matter, is condoned.

- [55] In *Chaplin* the Full Court was confronted with repeated instances of contempt over a lengthy period of time; in that respect, not unlike the conduct of Mr Mano. In *Chaplin* the court held that a sentence of six months' imprisonment could not be contested seriously. On the facts of the present matter, I echo and endorse the sentiments expressed in *Chaplin* at para [214] that repeated contempt by way of positive conduct is particularly reprehensible and that courts are entitled to view this type of harassment in a serious light.
- [56] In my view an effective sentence of 12 months imprisonment is appropriate and fair. This will be the consequence of my order uplifting the suspension of the sentence of imprisonment in the Orders granted by Justice Maier-Frawley on 22 August 2023 and the Order granted by Justice Windell on 18 August 2024.
- [57] I find that the conduct of the respondent since the Court Order granted by Justice Windell on 18 August 2024, amounts to contempt of Court, for all the reasons stated. I am of the view that this conduct should be visited with a sentence of 12 months imprisonment, suspended for 5 years.
- [58] The Applicant seeks an order for costs on the scale as between attorney and client. In my view the conduct of Mr Mano over an extended period of time is so reprehensible that a punitive cost order is warranted.

The Order

[59] I am satisfied that the following order should be granted:

1. The forms and service provided for by the Uniform Rules of Court are dispensed with and the matter is dealt with as one of urgency.
2. Leave is granted for the Applicant to have served the application papers on the Respondent electronically, by way of email, to the following email addresses, namely [s\[...\]](#) and [k\[...\]](#). This order shall also be served on the Respondent at the above email addresses.
3. The Respondent is declared to be in further and ongoing contempt of the order of this Court granted by Acting Justice Maier-Frawley on 30 October 2018 (“the 2018 Order”).
4. The Respondent is declared to be in breach of the order of this Court granted by Justice Maier-Frawley on 22 August 2023 (“the 2023 Order”).
5. The Respondent is declared to be in breach of the order of this Court granted by Justice Windell on 18 August 2024 (“the 2024 Order”).
6. The suspension of the 12-month order of imprisonment granted by Justice Windell in the 2024 Order is hereby lifted and the Respondent is committed to jail for a period of 12 months.
7. The suspension of the 10-month order of imprisonment granted by Justice Maier-Frawley in the 2023 Order is hereby lifted and the Respondent is committed to jail for a period of 10 months, to run concurrently with the period of imprisonment set out in paragraph 6 above.
8. Respondent is found to be in contempt of court on the basis of the contents of his emails since the judgment of Justice Windell’s judgment and order (“the

2024 Order”) and sentenced to imprisonment of 12 months, which imprisonment is suspended for a period of 5 years on condition that Mr Mano is not found guilty of contempt of court during the period of suspension.

9. The Registrar of this Court is directed to issue a warrant of arrest in respect of the Respondent and the South African Police Services are directed to give effect to the warrant of arrest and to take the Respondent into custody.
10. The Respondent is ordered to pay the costs of this application on the scale as between attorney and client.

AP Joubert

**ACTING JUDGE OF THE HIGH COURT
GAUTENG DIVISION, JOHANNESBURG**

Delivered on 22 September 2025

Appearances:

For the Appellant: Adv. P Bosman

Instructed by: Moodie & Robertson

For the Respondent: No Appearance