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

(1) REPORTABLE: NO
(2) OF INTEREST TO OTHER JUDGES: NO
(3) REVISED
07 May 2026

DATE

SIGNATURE

CASE NUMBER: SS97/2025

In the matter between:

THE STATE

and

GABISILE DAKILE

Accused

JUDGMENT

DOSIO J:

Introduction

[1] The accused is arraigned on a count of murder in terms of s51(1) of the Criminal Law Amendment Act 105 of 1997 ('Act 105 of 1997').

[2] The State is represented by advocate Maphiri. The accused is represented by Mr. Ngxumza.

- [3] The accused elected not to make use of an assessor.
- [4] The minimum prescribed sentence of life imprisonment was explained to the accused and she understood.
- [5] The accused pleaded not guilty to stabbing and killing Caswell Ngwenya on 27 April 2023 at 7[...] A[...] Street, Tshepisong. The accused made a statement in terms of section 115 of Act 51 of 1977. The statement indicates in summary that she and the deceased were in a love relationship and that they lived at 7[...] A[...] Street, Tshepisong, Roodepoort. On 26 April 2023, she and the deceased decided to go to a tavern to drink alcohol, namely at Lova's pub in Phase six, Tshepisong. They arrived at 20h00 and left at 03h00 on 27 April 2023. The deceased wanted to go to another tavern, but she refused. She accordingly went home and waited for the deceased to arrive. On arrival at home, she realised she did not have the keys. She decided to wait in the outside toilet. When the deceased arrived, he opened the shack and they went inside. An argument ensued in that the deceased accused her of cheating on him that is why she had decided to go home early. They were both drunk and started fighting. The deceased then picked up a knife from the TV stand with the intention to stab the accused. They fought over the knife until its handle broke. At this point she then stabbed the deceased in self-defence on his chest. She immediately called an ambulance. She indicated she did not subjectively foresee the possibly of the death of the deceased as it all happened on the spur of the moment.
- [6] In terms of section 220 of Act 51 of 1977, the following formal admission was noted with the consent of the accused, namely that:
On 27 April 2023 at 7[...] A[...] Street, Tshepisong, Roodepoort, the accused stabbed the deceased with a knife.
- [7] The summary of substantial facts is that the deceased and accused were in a love relationship and stayed together at 7[...] A[...] Street, Tshepisong in Roodepoort. The State alleges that in the early morning hours of 27 April 2023, the deceased and accused had a fight. The accused then stabbed the deceased with a knife.
- [8] At the inception of the trial the following admissions were made in terms of s220 of the Criminal Procedure Act 51 of 1977 ('Act 51 of 1977'), namely

- (a) That the deceased is the person referred to in the indictment on count one, namely Mr Caswell Ngwenya.
- (b) That the deceased died on 27 April 2023 and that the cause of death was determined to be a penetrating incised wound of the chest.
- (c) That the deceased sustained no further injuries from the time the wounds were inflicted on 27 April 2023 until a post-mortem examination was carried out upon his body on 3 May 2023.
- (d) That Dr Kholiwe Collin Skosana conducted the medico-legal postmortem examination on the body of the deceased and her findings are as per Exhibit "B".
- (e) That the correctness of the facts are admitted as well as the findings of Dr Kholiwe Collin Skosana, who compiled the postmortem report regarding the deceased's death. The handing in of the medico-legal post-mortem examination as exhibit "B" is agreed to and admitted.
- (f) That the photographs taken by captain Ngako Samuel Setati, contained in Exhibit "C", are the photographs of the scene of the alleged offence depicting the body of the deceased. The correctness of the key to the sketch plan of the photographs was admitted.
- (g) That the Biology Report (DNA) affidavit which was compiled in terms of section 212 of the Criminal Act 51 of 1977 is admitted as well as the findings of warrant officer Donofatso Jenna Wade Sarela, marked as exhibit "D".
- (h) That the EMS report declaration of death is admitted as exhibit "E"

[9] The following witnesses were called, namely, sergeant Mamburu Lindelani, sergeant Tendani Mphuma, Serelen Druchna Jacobs, warrant officer Donofatso Jenna Sarelo, Thapelo Majafa, Elsie Ngwenya, Doctor Kholiwe and Collen Skosana, Thapelo Majafa. The state closed their case and the accused, (Gabisile Dakile) came to testify.

Sergeant Mamburu Lindelani

[10] This witness is a sergeant with 19 years' experience in the SAP. On 27 April 2023, she was stationed at the Roodepoort Police Station. A complaint of a murder at Antanania Street was received. She went with her crew member, namely, sergeant Mphuma to the scene. When they arrived, they heard a voice saying, "*I killed him*". This was uttered by the accused. The accused was referring to her boyfriend. The accused showed this witness where the deceased was. The accused indicated she had used a knife. The deceased had a wound on his chest. The accused stated she and the

deceased had a verbal argument in that the deceased accused her of cheating. The knife was found under a couch. The accused fetched the knife.

- [11] This witness stated the accused never mentioned to her that the deceased assaulted the accused. She also did not see any injuries on the body of the accused.
- [12] This witness did not touch the knife. She left the knife where the accused had placed it. The deceased was lying, facing upwards in the shack. He was only wearing his underpants. The stab wound was clearly visible on his chest.
- [13] This witness then placed the accused under arrest.
- [14] During cross- examination, she was referred to her statement where she stated at paragraph three that the accused told her she and the deceased were fighting. She stated she made a mistake by not adding the word, “verbally” in brackets after the word fighting. She repeated that the accused did not appear to have any injuries and that if she was injured, she would have noticed these injuries when she was booking the accused into the cells. She stated she did ask the accused if she was injured when they arrived at the police station.
- [15] This witness stated she could not remember if the accused told her she acted in self-defence. She conceded she would not be able to comment how the knife got broken. She stated she saw no injuries to the deceased`s neck. She only saw the stab wound. However, when presented with the photos in exhibit “C” she stated she could see a scratch below the neck and on the left arm of the deceased. She could not explain if these scratches on the photos 4 to 8 were sustained as a result of a fight between the accused and the deceased.
- [16] The accused was smelling of alcohol, and one could sense she had come from a tavern.

Tendani Mphuma

- [17] This witness stated that he is a sergeant in the SAP with 18 years` experience. On 27 April 2023, he was on duty at Roodepoort Police Station when he received a complaint of murder via the radio control which had occurred at 7[...] A[...] Street. He together

with sergeant Lindelani went to this address. They found the accused in a shack. The accused responded she had had an argument with the deceased, that they had been drinking and that it ended up in her stabbing the deceased with a knife. He was informed the argument started because of an alleged cheating. The accused never told him that she was defending herself, she just said she was apologising for what she did. The deceased was wearing an underwear and he was lying down. He had a wound on the left side of his chest. She did not observe any visible injuries on the accused. The accused appeared tipsy and she was smelling of liquor.

- [18] During cross-examination, this witness stated the accused told him she had a verbal argument with the deceased. He was shown his statement which was marked as exhibit "G" where at paragraph 6 of this statement it is mentioned, "she took the knife out and stabbed him on the chest as she was trying to defend herself". This witness responded, "correct, she said she was regretting what she did, she didn't mean to hurt him". It is clear there was a contradiction between his statement and his oral evidence in court. His explanation for this is that this incident happened long ago and he did not even read his statement before he came to testify. Most witnesses read their statement before they come and testify, especially in respect to matters that happened long ago. This is a material contradiction as it goes to the root of this matter.
- [19] He stated that the word 'fight' can mean a physical fight, as well as a verbal argument, however, the accused never told him they had a physical fight. This witness saw no further injuries on the deceased except the injury to the left of his chest

Serelen Druchna Jacobs

- [20] She stated on 27 April 2023, she was at Tshepisong. The accused came shouting asking her if she knew the telephone number of the ambulance and this witness said no. This witness asked who was hurt and the accused told it was Roy, who is the accused's boyfriend. She followed the accused to her shack and found the deceased lying down. This witness then went to call the deceased's sister who asked what was wrong. The accused then went to call the ambulance. This witness and the deceased's sister then waited for the ambulance. When the paramedics arrived, they informed them the deceased had passed away.

- [21] This witness did not see any blood or injuries on the deceased. She thought he had just fainted.
- [22] The accused told her that she had an argument with the deceased and that she had pushed him into a zinc. That is all the accused told her.
- [23] This witness knew the accused for about a year, but she was not close to her, she was merely a neighbour.
- [24] She stated she had seen the accused and deceased fighting and having an argument before this day.
- [25] During cross- examination, she stated the accused was very emotional when she saw her. The accused had been drinking with her boyfriend, as well as the boyfriend of this witness at a nearby tavern.
- [26] She was adamant it is the accused who phoned the ambulance. She stated the paramedics arrived first and not the police. The paramedics were already there when the police arrived.
- [27] She saw no injury on the accused, and she only saw one injury on the deceased, namely, the wound to his chest.
- [28] This witness saw no knife or zinc on the floor inside the accused and deceased's shack.
- [29] This witness could not say if the accused and deceased returned together in the early morning of 27 April 2023.

Warrant officer Donofatso Jenna Sarelo

- [30] This witness testified she is a warrant officer working at the biology section of the forensic science laboratory in Arcadia. She was on duty on 25 January 2024. She received a file pertaining to Roodepoort CAS 784/04/2023 containing DNA from a pair of jeans and from a knife swab. Her conclusion was that the most conservative occurrence for the DNA result from the blood on the pair of jeans and the blood on the

knife swab is 1 in 880 million trillion people. No DNA was obtained from the knife handle swab or from the knife.

Doctor Kholiwe Collen Skosana

- [31] Testified he is a doctor attached to the pathology services. On 3 May 2023, he conducted a postmortem examination in respect to body DR 513/2023. The cause of death was a penetrating incised wound of the chest. The wound was a vertical wedge-shaped wound with sharp edges, which implied a sharp object had been used to penetrate the left anterior chest.
- [32] This doctor did an alcohol test on the deceased which came back higher than the normal limit. It was 0.14 grams per 100 millilitres.
- [33] This doctor observed further injuries on the deceased, which according to the doctor were fresh injuries. These injuries were as follows:
- (a) A 75 mm x 3 mm (shaped scratch mark on the left side of the neck just over the thyroid cartilage at 20 mm from the midline and 60 mm above the clavicle, extending downwards and posteriorly.
 - (b) A 55 mm x 2 mm scratch mark on the right side of the neck antero- laterally at 8 mm from the midline and 68 mm above clavicle.
 - (c) A 75 mm x 5 mm hockey stick shaped scratch mark on the right side of the neck antero- laterally at 4 mm from the midline and 30 mm above the right clavicular head.
- [34] As regards the actual stab wound that caused the death of the deceased, this witness stated that the wound caused fractures of the second and third ribs on the left anteriorly and that the knife penetrated into the base of the upper lobe of the left lung from anterior to posterior causing both lungs to collapse.
- [35] This witness stated that had the deceased had a thicker layer of fat there would have been more protection and if there was no fat, the penetrating wound would have gone into the heart or lungs.

Thapelo Majafa

- [36] Sergeant Majafa testified he is based at the Roodepoort SAP and has 18 years' experience. He is currently the investigating officer in this matter.
- [37] He explained how the exhibit which were handed into the SAP 13 was registered and that it corresponded to the seal numbers on the DNA report, namely, exhibit "D".
- [38] He stated the previous investigating officer never made a statement prior to her passing. He also tried to trace this knife, but he could not. He stated no fingerprints were taken from this knife.

Elsie Ngwenya

- [39] This witness testified she is the mother of the deceased. She stated the accused and deceased lived in the property she owns at 7[...] A[...] Street.
- [40] She stated the accused and deceased had been in a love relationship for two years and they had a three-year-old child.
- [41] She stated that although the accused and deceased loved each other, they could not see 'eye to eye'. As a result, the child moved out and went to live at the parental home in Mdeni. The accused also moved out from 7[...] A[...] Street and came to live with this witness at phase one.
- [42] This witness loved the accused and got along well with her.
- [43] Neither the accused nor the deceased ever disclosed the issues they had with each other to this witness. The accused however did tell this witness that she moved out of 7[...] A[...] Street because the deceased had also moved out from that address and had taken all his belongings.
- [44] This witness stated that on 27 April 2023, she had heard from Patience (her daughter who is deceased) that the accused had called the deceased informing him that their child was sick. This remained hearsay evidence.

- [45] During cross- examination, she stated that on 27 April 2023, the accused was no longer staying with her.
- [46] This witness stated that when the accused came to stay with her, she never mentioned the deceased had assaulted her in anyway and neither did she see any injuries on the accused. However, this witness did indicate that the deceased did tell her that accused was mishandling him and abusing him and that the deceased also had some scratches on this neck. The deceased told her that the accused was beating him. This witness confirmed that the accused had never opened up a case of assault against the accused or obtained a protection order against her.
- [47] This witness stated that the accused and the deceased had reconciled in January 2023.
- [48] This witness later stated that the child of the deceased and the accused was staying with her on 27 April 2023.
- [49] The state then closed its case, and the accused came to testify.

The accused

- [50] The accused stated that the love relationship with the deceased commenced in June 2020. They moved to live together in July 2020. They both then moved to 7[...] A[...] Street, Tshepisong in March or April of 2022.
- [51] In their relationship they had ups and downs as at times they would fight verbally and at other times, physically.
- [52] She stated she gave birth to their child on 4 August 2022 whilst staying at 7[...] A[...] Street.
- [53] She stated that after the birth of their child she went to stay with the deceased`s mother at phase 1. When she moved out, she left her child with the deceased`s mother.
- [54] She stated they came back to live with the accused in October and November 2022 and the relationship between her and the accused was okay. The deceased then

moved out from 7[...] A[...] Street in November and went to live in Mdeni as they started fighting physically. They agreed it wouldn't be good to live together and fight as they now had a minor child. She was now working and so was the deceased. In January 2023, the deceased sent her a voice note where he wanted them to resume or get back together. The deceased started visiting the accused in January 2023 at Antanania Street. They were basically in a love relationship again.

- [55] As regards the events which commenced on the evening of 26 April 2023, due to it being a long weekend, the deceased said he would come and stay with the accused. The deceased knocked off from work at 19h00 and arrived at 20h00. When the deceased arrived, loadshedding had started, so they decided to go to Lova Tavern until the load shedding would be over. At the tavern, the deceased bought the accused six (6) Benini's and four black labels for himself. They sat down and drank and stayed there until it closed which was around 02h00. They were both inebriated.
- [56] As they were leaving the Lova tavern, the deceased said he wanted to go to another place. She stated she was okay and she left him there and went home. When she got home, she realised that she did not have the key to the house as she had left it with the deceased. She then went into the outside toilet and waited for the deceased to return.
- [57] After sometime, between 15 and 20 minutes, she heard the deceased unlocking the shack and she exited the toilet and proceeded to the house. She entered and locked the door. The deceased asked her where she had been and she said she had been seated in the toilet. The deceased started removing his clothes and she warmed up some food. When the accused was about to sit down and eat, the deceased grabbed the accused and accused her of cheating or seeing somebody. The deceased was dressed in his boxer shorts.
- [58] The accused and deceased then started pushing each other and the deceased used his force to push the accused against the wall, causing the mirror to fall off the wall. The deceased pulled her by her T-shirt and slapped her with an open hand. The accused tried to scratch him. They then fought using hands and clenched fists.
- [59] The accused pushed the deceased against the bed, and the deceased became angry and he grabbed a knife on the TV stand. The deceased moved towards the accused

holding the knife. Her concentration was on the deceased's hand holding the knife. She then held his hand to prevent him from stabbing her.

- [60] The accused demonstrated to this court that the deceased had the knife in his right hand. She held his hand and used all her force to push him away. She twisted the knife around, so that it would not stab her. The deceased pulled her hair using his left hand. She could not explain exactly how the deceased got stabbed as the knife broke while they were fighting over it. After the knife broke and she pushed the deceased away is when she saw she had stabbed the deceased. This all happened in a period of two minutes.
- [61] After realising she had stabbed the deceased she went to her neighbour, Ms Jacobs to ask for the ambulance number. She then phoned 10111 and requested for an ambulance. The ambulance personnel were the first people to arrive there. The paramedics informed her the deceased had passed away.
- [62] The accused stated she told the police officer that she had been fighting with the deceased as he suspected she had been cheating.
- [63] The male police officer asked her about the whereabouts of the knife. The blade was found under the couch, and the handle was found in an open space.
- [64] She denied telling Ms Jacobs that the deceased had fallen on a zinc.
- [65] During cross-examination, she stated the knife broke after she had stabbed the deceased. She thinks the knife must have been broken after she stabbed the deceased. She later stated the knife broke before she stabbed the deceased.
- [66] She stated she used the blade of the knife to stab the deceased. She did pull the knife out after stabbing the deceased.
- [67] She stated she was drunk when this incident happened and the deceased did sustain more injuries than she did. She conceded she had consumed more than 6 Benini ciders.

[68] She denied the version of the deceased's mother that she had been bullying the deceased. She stated the accused usually accused her of cheating. She conceded that the scratch mark below the deceased's neck, (photo 8), was caused by her nails as she was fighting with the deceased and wanted the deceased to let her go.

[69] She stated she could not run away as the deceased was standing in front of the door.

Evaluation

[70] When one considers a criminal case, one must look at the credibility of all the witnesses and also the version of the accused to determine whether the accused's version is reasonably possibly true.

[71] The state advocate has argued that the version of the accused is not reasonably possibly true, because, if the knife had broken, and she stabbed the deceased with the blade, she would have had injuries on her hands. The accused also stated that she pulled the knife out. It was argued further that based on the proportional test, the defence of the accused must be proportional to the attack. The state is of the contention that the force used was more than necessary to repel the attack. Accordingly, the accused subjectively foresaw the possibility of that stabbing the deceased he would die and she reconciled herself with this fact. The state added that when a girlfriend kills a partner in self-defence, with no witnesses, as in the matter in casu, then forensic evidence, past abuse history and the credibility of the accused come into play.

[72] Private defence, as set out in the main memorandum, is a ground of justification assessed objectively. Putative private defence arises where that ground of justification does not legally exist, but the accused genuinely, albeit erroneously, believed that it did.

[73] The court must assess all available evidence, including the accused's conduct immediately after the stabbing, her attempts to seek help, and the consistency of her account over time, from which her state of mind at the critical moment may be inferred.

[74] Despite the accused's s220 admissions to killing the deceased, she asserts that she did not unlawfully and/or intentionally kill the deceased. She grounds this on the

version that she and the deceased, following a verbal argument, struggled for control of the knife that she consequently used to fatally wound him during the alleged attack. Notably, she claims that both she and the deceased were intoxicated during this struggle.

- [75] The requirements of private defence are settled. In the matter of *S v Ntuli* 1975 (1) SA 429 (A) 436, where the court stated:
- ‘A person who suffers a sudden attack cannot always be expected to weigh up all the advantages and disadvantages of his defensive act and to act calmly. Courts should be careful to avoid the role of armchair critics, wise after the event, weighing the matter in the secluded security of the courtroom.’
- [76] The test is objective because the enquiry is whether a reasonable person in the position of the accused, in those circumstances, would have acted in the same way. The word ‘circumstances’ is critical. It directs the court to place itself in the specific factual matrix confronting the accused at the critical moment — not in an abstract or sanitised reconstruction of events.
- [77] The state referred this court to the matter of *Botha v The State* (1074/22017) ZASCA 149 (1 November 2018) to support its argument that the version of self-defence must fail. The facts of the Botha case differ materially from the matter in casu. In the matter of Botha, the deceased was standing behind the accused pressed against her back. The appellant also testified that she did not fear that her life was in danger at the time she was wrestling with the deceased. The deceased was also not carrying a weapon. The worst kind of bodily harm the deceased inflicted on the appellant was the continuous pain to her head as she was being pulled by her hair. There was no evidence that if the attack continued any form of serious injury would have occurred. The above-mentioned facts are different to the matter in casu as the deceased was coming directly towards the accused whilst wielding the knife. According to the accused if the deceased was successful serious injury would have been inflicted on her.
- [78] The common law confirms the four cumulative requirements for private defence: the defensive act must be (a) necessary to protect the threatened interest; (b) directed at the attacker; (c) reasonably proportionate to the attack; and (d) performed with the knowledge that it is a defensive act. The absence of any one requirement defeats the plea. (see *S v Steyn* 2010 (1) SACR 411 (SCA) para 18).

- [79] In respect of the onus, *S v De Oliveira* 1993 (2) SACR 59 (A) 63-64; see also J Burchell *Principles of Criminal Law* 5 ed (2016) 125, confirmed that the onus rests on the state throughout. The state must prove beyond reasonable doubt that the accused acted unlawfully. The accused bears no onus to prove the truth of her version — she is eligible for an acquittal if her version is reasonably possibly true. The evidential standard applicable to the accused's version is further defined by *S v Shackell* 2001 (4) SA 1 (SCA) para 26, where the court held that a version may not be rejected merely because it is improbable. It may only be rejected if it is so inherently improbable that it cannot reasonably possibly be true.
- [80] In *R v Zikalala* 1953 (2) SA 568 (A) 572, the court confirmed that no person is obliged to flee where flight does not offer a safe avenue of escape — specifically, where retreat would merely expose the person to a stab in the back. In such circumstances the person is entitled to stand their ground. This principle is directly applicable on the present facts. Where both parties are engaged in a physical struggle for control of a knife, retreat does not offer a safe avenue of escape. The risk of losing control of the weapon during any attempt to disengage is real and immediate. In the matter in casu, the accused states the accused was between herself and the door. This is the only version this court has. If it is reasonably possibly true, the accused must be given the benefit of the doubt.
- [81] In the matter of *S v Steyn* (supra) the court confirmed that modern law does not demand strict proportionality between the attack and the defensive act. The proper enquiry is whether, having regard to all relevant circumstances, the accused's response was reasonable. The court identified a non-exhaustive list of relevant factors, including the relative strength of the parties, their respective sex and age, the means available to both, and the nature and gravity of the attack. A single stab wound inflicted in the course of a knife struggle is materially different from multiple deliberate wounds inflicted after the threat has been neutralised. The former is consistent with a defensive response; the latter is not.
- [82] In the matter in casu there was only a single stab wound. The argument of the state advocate that the accused must have only used the blade to stab the deceased is not logical. The blade itself, excluding the handle is about 13 cm itself. If this whole blade penetrated the deceased causing the 135mm wound, then there would have been

nothing to hold on. The version of the accused that she stabbed the knife, pulled it out and that in the process it broke is more feasible.

- [83] Of relevance on the present facts is the question of whether the attack had commenced or remained imminently threatening at the precise moment the accused inflicted the fatal wound. According to the accused, the threat was imminent. If she had run away the deceased may have stabbed her in the back. The version of her holding the deceased's right hand to prevent the deceased from stabbing her is very likely.
- [84] The state contends that less harmful means were available to the accused in the course of the alleged struggle. This court must assess that contention not with the benefit of hindsight, but from the vantage point of a reasonable person confronting the same circumstances at the critical moment. This court finds that the version of the accused that she had to act in the manner she did was necessary to protect the threatened interest; furthermore, the defence was directed at the attacker. The defence was reasonably proportionate to the attack and the accused acted with the knowledge that it is a defensive act. This version is also supported by the affidavit of sergeant Mphuma who says that the accused told her that she acted in self-defence.
- [85] The version stated by Ms Jacobs that the accused told her the deceased fell on a zinc is not corroborated by the photos. There is no zinc found lying in this property. On the other hand, the version of the accused that she and the deceased fought and that they broke a mirror is corroborated by photo 9 of exhibit 'C'. This court only has one version of events before it, which the state has failed to rebut.
- [86] The version of the accused that she and the deceased were extremely intoxicated is corroborated by sergeant Mamburu Lindelani who states the accused smelt of liquor as if she had been in a tavern. The blood specimen of the deceased also shows that the deceased's blood was over the limit. Due to the level of intoxication, this court does not draw a negative inference from the accused's explanation of the physical fight, when and how the knife was broken, as the intoxication would have affected to a certain degree the recollection of the sequence of events.
- [87] This court must add that this investigation was very poor. The most important object, namely the handle of the blasé was never sent for forensic analyses or fingerprints. Had this been done and there were no fingerprints of the deceased on that handle then

without a doubt the version of self-defence would have failed. However, this is not the case.

[88] This court is not convinced that the state has proven guilt beyond a reasonable doubt or that the accused subjectively had the intention to kill the deceased. The accused's version of self-defence is reasonably possibly true and she is acquitted.

D DOSIO

JUDGE OF THE HIGH COURT
JOHANNESBURG

APPEARANCES

ON BEHALF OF THE ACCUSED:

Adv Ngxumza

Instructed by Legal Aid SA, Johannesburg

ON BEHALF OF THE STATE:

Mr. Maphiri

Instructed by the Office of the National

Director of Public Prosecutions, Johannesburg

ARGUED ON:

06 May 2026

JUDGMENT HANDED DOWN:

07 May 2026