

CN FR/L36/2022

IN THE INTERMEDIATE COURT OF MAURITIUS
(FINANCIAL CRIMES DIVISION)

In the matter of:

ICAC


(Now the Financial Crimes Commission pursuant to
section 168 (1) of the Financial Crimes Commission Act 2023)

v/s

1. **Beediawtee HATON**
2. **Mandatta HATON**

SENTENCE

1. Accused no.1 was prosecuted for the offences of money laundering (Counts 1 to 15) in breach of sections 3 (1)(a), 6(3) and 8 of the **Financial Intelligence and Anti-Money Laundering Act (the "FIAMLA")**.
2. Accused no.2 was prosecuted for the offences of money laundering (Counts 16 to 30) in breach of sections 3 (1)(b), 6(3) and 8 of the **FIAMLA**.
3. Accused no.1 was convicted and sentenced to fines under Counts 1 to 15.
4. The case against accused no.2 was stayed by the trial Court and following a successful appeal by the Director of Public Prosecutions, it was remitted back to be tried anew by another Magistrate and hence the present case.
5. The case for the prosecution was conducted by Mr. Naga whilst accused no.2 was represented by Mr. R. Valayden, SC.
6. Trial had already started and accused no.2 eventually pleaded guilty to Counts 16 to 30 on the 04th May 2026.
7. After a hearing was conducted, accused no.2 was found guilty and convicted under **Counts 16 to 30**.

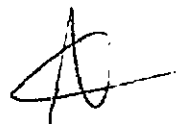


8. Investigator Dowlut (witness no.1) produced 2 statements that he recorded from accused no.2 on the (i) 03rd August 2011 and (ii) 04th August 2011(Doc A and A1). He also stated that accused no.2 cooperated with the ICAC during the course of the enquiry.
9. Accused no.2, from the dock, stated that he is ill. He also begged for excuse and leniency.
10. The previous convictions of accused no.2 were produced (Doc X). He has not spent any time on remand or police cell in connection with the present case.
11. Learned Senior Counsel for accused no.2 submitted and invited the Court to show leniency given the accused guilty plea, his state of health and his cooperation with the ICAC.
12. The sentence applicable for the offence of Money Laundering under section 8 of the FIAMLA, at the time of the offence, is a fine not exceeding Rs. 2 million and to penal servitude not exceeding 10 years.
13. The Court is alive to the overriding principle that the sentence to be inflicted must be commensurate with the gravity of the offence – see **Khoyratty v The State (2018) SCJ 382**.
14. In relation to the discount to be given to an accused party who pleads guilty, Section 69B of the District and Intermediate Courts (Criminal Jurisdiction) Act provides that:

“The District and Intermediate Court may mitigate the sentence of an accused party who appears before it and makes, in the opinion of the Court, a timely plea of guilty to the offence with which he stands charged.”

15. In **The State v Mootien and Ors [2009] SCJ 28**, it was held that:

“In relation to the discount to be given to an accused party who pleads guilty, I bear in mind the SGC Revised Guideline “Reduction in Sentence for Guilty plea (July 2007) referred to in Blackstone’s Criminal Practice (2008)” at page 2070 to which I was referred by Counsel for accused No. 1. I also agree that the Criminal Division of the Supreme Court seems to have applied the recommendation contained in that guideline that one third deduction be given where the plea is indicated at the first reasonable opportunity. However, I am of the view that the actual discount to be given for a plea of guilty still remains a matter of discretion for the Court having regard to the circumstances of each particular case.” (Underlying is mine)



16. The Court has taken note of the fact that accused no.2 is not on record for any cognate offence. The Court has also taken into account the following mitigating factors in favour of accused no.2, namely:

(i) his guilty plea, though not at a first reasonable opportunity, but which has saved a lot of time and resources;

(ii) his stated of health;

(iii) his remorse and request for leniency under oath;

(iv) the amount involved under Counts 16 to 30 not being significant;

(v) the delay of approximately 20 years for Counts 16 to 28 and 17 years for Counts 29 and 30; and

(vi) his cooperation during the course of the enquiry.

17. However, on the other hand, the Court cannot lose sight of the gravity of the offences that accused has committed. Taking into account all those factors, the Court is of the view that a fine under **Counts 16 to 30** will meet the ends of justice. Accordingly, accused no.2 is sentenced to a fine of:

(i) Rs. 5,000/- under **Count 16**;

(ii) Rs. 4,000/- under **Count 17**;

(iii) Rs. 4,000/- under **Count 18**;

(iv) Rs. 2,000/- under **Count 19**;

(v) Rs. 2,000/- under **Count 20**;

(vi) Rs. 4,000/- under **Count 21**;

(vii) Rs. 5,000/- under **Count 22**;

(viii) Rs. 2,000/- under **Count 23**;

(ix) Rs. 5,000/- under **Count 24**;

(x) Rs. 5,000/- under **Count 25**;

(xi) Rs. 5,000/- under **Count 26**;

(xii) Rs. 8,000/- under **Count 27**;

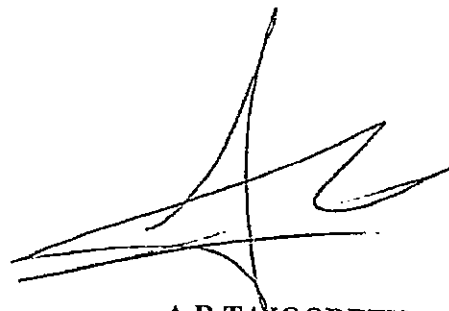
(xiii) Rs. 6,000/- under **Count 28**;

(xiv) Rs. 2,000/- under **Count 29**; and

(xv) Rs. 2,000/- under **Count 30**.



18. Accused no.2 is further ordered to pay Rs.500 as costs.



A.R.TAJOODEEN
Magistrate of the Intermediate Court (Financial Crimes Division)
03.06.2026