

THE STATE v IMBE GEOFFREY KURSON & ANOR

2026 SCJ 286

Record No:- SCS 2/26

THE SUPREME COURT OF MAURITIUS

(Before the Criminal Division)

In the matter of:-

The State

v/s

- 1. Geoffrey Kurson Imbe**
- 2. Jean Lucandro Prudence**

JUDGMENT

The backdrop to this case is a record seizure of 219,009 grams of heroin and 25,456.9 grams of cannabis resin on a land near Club Med Hotel in Pointe aux Cannoniers.

The overall value of the drugs seized is in the region of 3.4 billion rupees.

Mr. Geoffrey Kurson Imbe has pleaded guilty to transporting the drugs seized, while Mr. Jean Lucandro Prudence pleaded guilty to aiding and abetting Mr. Imbe in the means of facilitating him in transporting the said drugs.

The offences took place on 29 April 2021 at a time when Mr. Imbe was 24 and Mr. Prudence 21.

On the basis of their guilty plea, I have found them guilty as charged.

It is worth noting that there had been averments of trafficking against both of them in the past, which were dropped in return for their guilty pleas.

Mr. Imbe has a clean record, while Mr. Prudence has a previous conviction for larceny in 2018 where he paid a fine of Rs. 2000 and Rs. 100 as costs.

The facts

It is common ground that on 02 May 2021 the police raided a land near Club Med Hotel in Pointe aux Cannoniers where they discovered huge amounts of drugs, consisting of 219,009 grams of heroin and 25,456.9 grams of cannabis resin, concealed in trenches covered with branches, chili powder and fish scales.

The enquiry started with the arrest of the watchman who was on spot at that time. It was he who volunteered information that would lead to the arrest of Messrs. Imbe and Prudence as well as other persons including two brothers, namely Ritesh Gurroby and Nitiraj Gurroby, who are considered as the main traffickers in this drug transaction.

Mr. Prudence used to work for Nitiraj Gurroby (alias "Capitaine") who owned a fishing boat. He would often go on long fishing expeditions on that boat.

It is at the instigation of Capitaine that Messrs. Imbe and Prudence got themselves involved in this major drug transaction. The evidence clearly shows that they had been used by Capitaine as part of a well-planned operation in order to shield the real drug barons who were acting behind the scene. The vehicle of a police officer by the name of Joumont had even been used to actually transport the drugs from Pereybere to the land in Pointe aux Cannoniers.

Thus on 29 April 2021, Mr. Imbe transported the drugs, from Pereybere to Pointe aux Cannoniers, using the vehicle of police officer Joumont. He was following another vehicle driven by Mr. Prudence, as part of a convoy of four vehicles. Reaching near the land in Pointe aux Cannoniers, Mr. Prudence gave Mr. Imbe directions as to where he should reverse his vehicle for the off-loading of the drugs.

It is clear to me that the convoy was a colourable device designed to mask the whole operation.

Messrs. Imbe and Prudence have recently, in January 2026, from prison, given further statements detailing their personal involvement in the operation as well as that of the other protagonists, especially the Gurrobys. They have, in Court, confirmed those statements and given an undertaking to testify against those persons.

It is also their version that the Gurrobys have in the past threatened them should they speak; which explains why they did not tell the truth in the beginning.

They have both expressed remorse and begged for leniency.

The personal circumstances of the two accused

Messrs. Imbe and Prudence are childhood friends and are, undoubtedly, from very modest backgrounds.

Mr. Imbe used to work as helper for his father and has a concubine with whom he has a daughter now aged 9. It is his version that his close tie to his childhood friend, Mr. Prudence, led him to offer his help when the latter made the request.

The mother of Mr. Prudence was barely 16 when she gave birth to him. To this day, Mr. Prudence does not know who his father is.

He has, during his childhood years, witnessed regular abuse on his mother at the hands of her partners. By the age of 11, his step-father forced him to quit school in order to contribute to the household. Whenever he could not contribute, he would be kicked out of the house and made to sleep outdoors.

Capitaine appears to have exploited this vulnerability by offering him a job on his fishing vessel. Mr. Prudence in turn became so grateful to Capitaine that he started calling him "Pa".

The submissions

Mr. Moorghen, learned counsel for the prosecution, has submitted that if the accused testify against the real masterminds the prosecution will now “have eyes in the convoy”; and that the present case contains “serious mitigating circumstances” in their favour. He has thus invited the Court to consider imposing a sentence ranging from 8 to 9 years’ penal servitude on both accused.

Mr. Juwaheer, learned counsel for Mr. Imbe, has submitted that his client has put himself at great risk in volunteering to testify against the Gurrobys. He has prayed that a sentence ranging from 5 to 6 years’ penal servitude be inflicted on Mr. Imbe in the light of his mitigating circumstances, risks to his security, assistance to the State and his undertaking to assist the authorities further.

Mr. Hussenbocus, learned counsel for Mr. Prudence, has invited the Court to consider section 43(2) of the Dangerous Drugs Act which provides –

“43. Exemption and mitigation of penalties

(1) ...

(2) Notwithstanding section 41, the penalty incurred by any person convicted of an offence under that section shall be reduced in such manner as the Court thinks just where that person has, before any proceedings, made possible or facilitated the identification of the other guilty persons, or who, after the commencement of proceedings, has made possible or facilitated the arrest of such persons.”

It is his submission that both accused in the present case have given ample and precise information about the whole operation. He has suggested that a range of 5 to 7 years’ penal servitude would be a fair sentence for his client.

The case of The State v Joumont G K [2025 SCJ 122]

Learned counsel for the prosecution and the defence have relied heavily on the case of **The State v Joumont G K [2025 SCJ 122]** where the police officer Joumont was sentenced to 8 years' penal servitude together with a fine of Rs. 50,000 plus Rs. 1000 as costs.

The accused in that case had pleaded guilty to aiding and abetting Mr. Imbe in the means of facilitating the latter in transporting drugs by making available a vehicle to him for that purpose.

The fact that the accused was a police officer, thus occupying a position of trust and at the same time assisting a network of drug traffickers, was taken to be an aggravating circumstance.

The applicable penalty

Mr. Imbe is liable to the following punishment in accordance with section 30(1)(d)(ii) of the Dangerous Drugs Act –

“... to a fine not exceeding one million rupees together with penal servitude for a term which shall not be less than 5 years and not more than 25 years.”

Mr. Prudence, being his accomplice, is liable to the same kind of punishment.

Analysis

The facts of this case present an unusual sentencing exercise.

On the one hand, the Court is confronted with one of the largest drug seizures ever effected in Mauritius, involving drugs with an estimated street value of approximately 3.4 billion rupees. The sheer quantity of heroin and cannabis resin involved places this offence at the highest level of gravity.

Ordinarily, offences involving such exceptional quantities of drugs would call for sentences lying towards the upper end of the statutory range. However, sentencing is never a purely

mathematical exercise. The Court is required to individualise sentence by balancing the seriousness of the offence against the personal culpability of each offender, while giving proper effect to all aggravating and mitigating circumstances.

In the present matter, there are significant aggravating features.

Both accused have knowingly participated in the transportation of an enormous quantity of dangerous drugs. The operation was carefully organised. The convoy of four vehicles, the concealment of the drugs in trenches, and the use of a police officer's vehicle demonstrate a sophisticated and premeditated criminal enterprise.

Nevertheless, it is equally apparent from the evidence that neither accused occupied a leadership role within the criminal organisation. The evidence instead points overwhelmingly towards the Gurroby brothers, particularly Capitaine, as being the principal architects of the operation. The accused were used as subordinate operatives within a much larger trafficking network.

The Court must therefore distinguish between those who orchestrate drug trafficking and those who are mere subordinates. Such distinction does not excuse their conduct but is relevant to their respective degrees of moral blameworthiness.

More importantly, however, is the fact that the present case possesses an exceptional feature which is rarely encountered before this Court.

After the commencement of proceedings, both accused voluntarily provided detailed statements identifying the various protagonists involved in the operation and explaining the manner in which it was carried out. Those statements have been confirmed under oath before this Court, and both accused have unequivocally undertaken to testify against the principal traffickers.

The prosecution itself accepts that their evidence is capable of significantly advancing the prosecution of those who organised this trafficking operation. As Mr. Moorghen aptly puts it: "the prosecution will now have eyes in the convoy".

This cooperation carries obvious and substantial risks for both accused. Persons involved in organised drug trafficking are notoriously intolerant of informants and cooperating witnesses. By electing to assist the authorities, the accused have knowingly exposed themselves and potentially their families to future danger.

Section 43(2) of the Dangerous Drugs Act specifically empowers the Court to reduce the penalty where the offender has made possible or facilitated the identification or arrest of other guilty persons. The provision recognises that dismantling organised trafficking networks frequently depends upon the cooperation of participants who are prepared to provide truthful evidence against those occupying more senior positions.

Although the statutory conditions refer to facilitating the identification or arrest of guilty persons, I consider that the spirit of the provision equally embraces substantial cooperation which materially strengthens the prosecution of those principally responsible for the trafficking enterprise. The evidence before me demonstrates that the assistance rendered by both accused goes considerably beyond a mere expression of willingness to cooperate. They have already furnished detailed information, confirmed its accuracy before this Court and undertaken to testify when required.

Their cooperation therefore constitutes an exceptional mitigating circumstance deserving of substantial weight.

I have also considered their personal circumstances.

Mr. Imbe is a first time offender. He comes from a modest background, has maintained family responsibilities and appears to have become involved largely through his longstanding friendship with Mr. Prudence.

Mr. Prudence's background is considerably more unfortunate. His childhood has been marked by instability, neglect and abuse. He was deliberately exploited by Capitaine whom he regarded almost as a father figure. His previous conviction for larceny is insignificant and has no bearing on this case.

I have also considered the case of **The State v Jomont G K** [\[2025 SCJ 122\]](#) and I note that Jomont was a police officer whose position of public trust constituted a serious aggravating feature which is absent in the present case. The Court must therefore distinguish between offenders according to their respective culpability and mitigating circumstance.

Conclusion

Balancing all the relevant considerations, I am satisfied that this is one of the exceptional cases where the substantial cooperation afforded to the authorities justifies a sentence significantly below what would ordinarily be imposed for offences involving drugs of such extraordinary quantity. At the same time, the sentence must remain sufficiently severe to reflect the immense gravity of knowingly participating in the transportation of such a massive consignment of heroin and cannabis resin.

Having carefully weighed all the aggravating and mitigating circumstances –

- (a) Mr. Imbe is sentenced to 7 years' penal servitude together with a fine of Rs. 50,000 under count 1; and
- (b) Mr. Prudence is likewise sentenced to 7 years' penal servitude together with a fine of Rs. 50,000 under count 2.

The whole period of time they have spent in police detention and on remand in prison shall be deducted from the sentences passed.

All exhibits are forfeited except for the drugs which shall be kept for production in a subsequent case.

Both accused to pay Rs. 1000 as costs.

Finally, this Court considers it appropriate to observe that organised drug trafficking can only be effectively combatted if the criminal justice system is able to identify and prosecute not merely those who carry out the instructions of others, but also those who plan, finance and direct

such operations. Parliament has, through section 43(2) of the Dangerous Drugs Act, expressly recognised the public interest in encouraging offenders to assist the authorities in identifying those who bear the greatest responsibility. The substantial cooperation rendered by both accused falls squarely within that legitimate objective and has therefore been accorded significant mitigating weight in determining the appropriate sentence (see also, judgment of this Court in **The State v Bongtemps Louis Bryan Dilann** [\[2026 SCJ 209\]](#)).

M.S. Manrakhan
Judge

06 July 2026

For the State : Mr. K. Moorghen, Principal State Counsel together with Mrs. S. P. Paupoo-Nallee, Senior State Counsel

For Accused No 1 : Mr. A. Juwaheer, of Counsel together with Mr. H. Ponen, of Counsel

For Accused No 2 : Mr. S. Hussenbocus, of Counsel together with Ms. H.S. Dilmohamed, of Counsel