



### CASE INFORMATION

<b>Case name:</b>	State v Nogodama (Sentence)	Case no: CC 20/2017
<b>Judge/s:</b>	Makaula J	
<b>Division:</b>	Eastern Cape Local Division, Port Elizabeth	
<b>Nature of matter:</b>	<p><b>Sentence - Kidnapping – robbery – rape and pointing of anything which is likely to lead a person to believe it is a firearm</b></p> <p>On 19 October 2016 at about 18:00, the accused robbed the complainants of their two cellular phones plus a Tablet, the total value of which was about R11 000.00. He threatened them with an iron rod. After that, the accused drove to a secluded open field where he raped Ms Chuma at gunpoint. Thereafter, he took them to his room at Kwazakele Township. On arrival, he caused Ms Masungwini to suck his penis and subsequently had sexual intercourse with her. After a while he in turn requested Ms Chuma to suck his penis. He raped her again for the second time. At all material times, the complainants did not consent to the sexual intercourse. The following morning the accused took them to a taxi rank where he left them. Both complainants were taken to hospital. A forensic nurse examined and found that they had vaginal injuries. The forensic nurse confirmed upon examination that Ms Chuma was a virgin at the time of the incident. The court found no reason why it should deviate from the prescribed minimum sentence.</p>	
<b>Court Order:</b>	<p>The following sentences were handed down:</p> <p>Count 1: Kidnapping, to undergo 3 years imprisonment.</p> <p>Count 2: Robbery with aggravating circumstances, 15 years imprisonment.</p> <p>Count 3: Rape, life imprisonment.</p> <p>Count 4: Rape, 15 years imprisonment.</p> <p>Count 5: Pointing of anything which is likely to lead a person to believe it is a firearm, 5 years imprisonment.</p> <p>Count 6: Rape, life imprisonment.</p> <p>Count 7: Kidnapping, 3 years imprisonment.</p>	
<p><b>The summary does not form part of the judgment, it is provided as a guide for research purposes.</b></p>		<b>Heard on:</b> 10-17 October 2017
		<b>Delivered on:</b> 17 October 2017