

Summons No./Dagvaarding No.

ORIGINAL: To be returned to the Clerk of the Court

OORSPRONKLIKE: Moet aan die Klerk van die Hof terugbesorg word

Case No./Saakno.....19.....

SUMMONS IN CRIMINAL CASE Magistrate's Court

DAGVAARDING IN STRAFSAAK Landdroshof

| | | | |
|---------------------------------|----------------|---|--|
| District/Distrik Chatsworth | | Regional division/Streekafdeling 5107/89 | |
| Held at/Gehou te: Chatsworth | Court/Hof B | Date of trial/Verhoordatum 21-2-1990 | |

To the MESSENGER OF THE COURT:

Aan die GEREGBODE:

You are hereby required and directed in the name and on behalf of the State on receipt hereof to summon the undermentioned person(s) (hereinafter called the accused), that he appear personally before the above-mentioned Court on the date stated above as the date of trial at 09h00 o'clock to answer and abide the judgment of the Court upon the charge(s) of the Public Prosecutor (prosecuting in the name and on behalf of the State); that the said accused is/are guilty of the offence(s) as set out hereunder.

Namens en ten behoeve van die Staat word u hiermee gelas om by ontvangs hiervan die persoon/persone hieronder genoem (hierna die beskuldigde(s) genoem); te dagvaar om in persoon voor bogenoemde Hof te verskyn om 09h00 uur op die datum wat hierbo as die verhoordatum gemeld word, om verantwoording te doen voor die Hof en uitspraak af te wag insake die aanklag(te) van die Staatsaanklaer (wat in naam en ten behoeve van die Staat vervolg); dat gemelde beskuldigde(s) skuldig is aan die misdryf/misdrywe hieronder uiteengesit.

Serve on the accused a copy of this summons and return to this Court what you have done thereon.

Beteken aan beskuldigde(s) 'n afskrif van hierdie dagvaarding en doen aan hierdie Hof verslag van wat u hieromtrent gedoen het.

| | | | |
|--|-------------------|--------------------|--|
| Name/Naam: Pathasarvasuvaran Samotharan Govender. | | | |
| Address/Adres: 110 Robin Street, Kharwastan, Chatsworth. | | | |
| Sex/Geslag male | Race/Ras Asian | Age/Ouderdom 28 | Identity No./Identiteitsnommer no p |

Particulars of charge(s): Besonderhede van aanklag(te):

As zilver smid.

Accused is/are guilty of the offence of
Beskuldigde(s) is skuldig aan die misdryf van.....

in that upon or about the
deurdat op of omtrent die..... day of
and at or near
en te of naby..... dag van..... 19.....

the accused did wrongfully
die beskuldigde(s) wederegtelek.....

An admission of guilt fine of

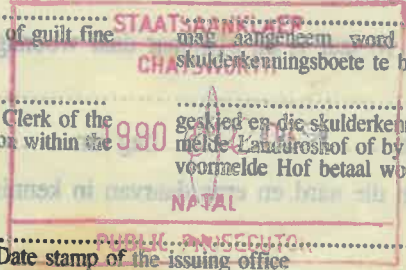
n Skulderkenningsboete ten bedrae van

may be accepted and if you intend paying an admission of guilt fine payment must be made on or before

mag aanvaar word en indien u van voorneme is om 'n skulderkenningsboete te betaal moet betaling daarvan voor of op

and the admission of guilt fine may only be paid to the Clerk of the above-mentioned Magistrate's Court or at any police station within the area of jurisdiction of the said Court.

geskied en die skulderkenningsboete kan slegs aan die Klerk van bogenoemde Landdroshof of by enige polisie-stasie binne die regsgebied van voormelde Hof betaal word.



Date stamp of the issuing office
Datumstempel van kantoor van uitreiking

Handwritten signature and date: 26/9/91

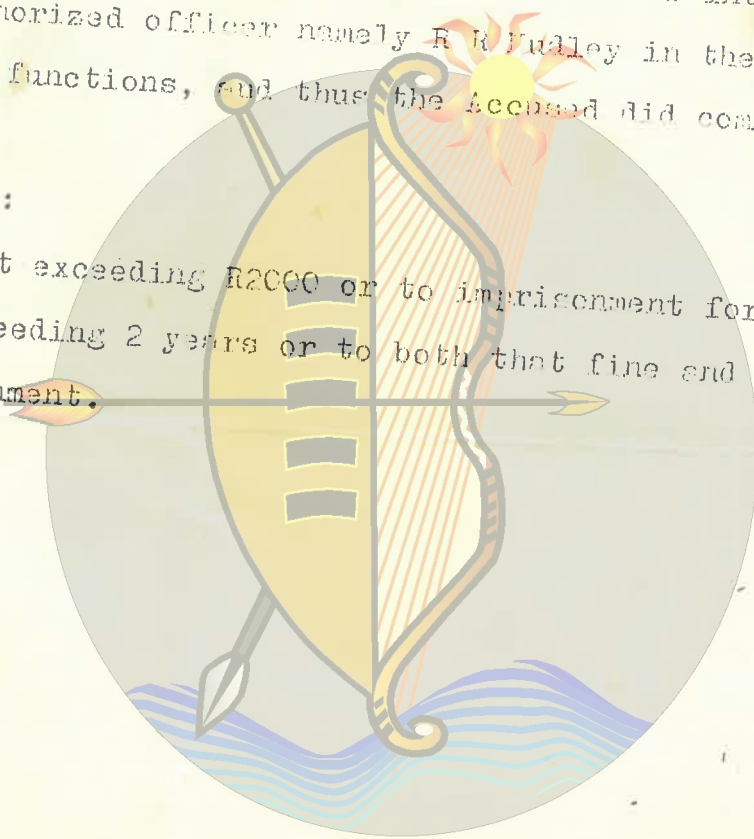
COUNT 1

That the Accused is guilty of contravening Section 4(e) of Act No. 53 of 1985.

In that on or about 4 day of July 1989 and at the Administration Offices of the House of Delegates, in the district of Christworth, the Accused did wrongfully and unlawfully obstruct, hinder, resist or interfere with an authorized officer namely R R Fulley in the performance of his functions, and thus the Accused did commit an offence.

PENALTY:

fine not exceeding R2000 or to imprisonment for a period not exceeding 2 years or to both that fine and that imprisonment.



A N N E X U R E

POLICE STATION: _____ CASE NO: _____
C.R. NO.: _____ DISTRICT: _____
DATE OF TRIAL: _____ PLACE OF TRIAL: _____
PRESIDING OFFICER: _____ PROSECUTOR: _____
FOR DEFENCE: _____ INTERPRETER: _____
FINGERPRINTS: TAKEN/NOT TAKEN ACCUSED IN CUSTODY/ON BAIL/C
INVESTIGATING OFFICER: _____ WARNING
DATE OF ARREST: _____

THE STATE
versus

S. Naidoo + 1 other

ASIAN/BLACK/COLOURED _____ MALE/FEMALE _____ years
S A BORN _____
OCCUPATION: _____ N.I. _____
COUNT: _____

The said accused is/are guilty of contravening Section 27(1) of the Police Act, No. 7 of 1958 (as amended).

In that upon or about the _____ day of _____ 19____ and at or near _____ in the district of CHATSWORTH the said accused did wrongfully assault _____ a member of the force in the exercise of his powers or the performance of his duties or functions.

COUNT 2

That the said accused is/are guilty of contravening Section 27(2) (a) of the said Act (No. 7 of 1958).

In that upon or about the 4 day of July 1989 the said accused did unlawfully resist or obstruct a member of the force in the exercise of his powers or the performance of his duties or functions, or, did wilfully interfere with such a member or his uniform or equipment or any part thereof;

or alternatively: - that the said accused is guilty of contravening section 27(2)(b) of the Said Act (No. 7 of 1958). In that upon or about the _____ day of _____ 19____ and at or near _____ in the district of Chatsworth the said accused did unlawfully; _____ threaten or suggest the use of violence to such member, or restraint upon such member or any of his

Siva Pillay - mass dele 3/7.
meet at 1600 - Wel. 07
at 2pm.
Welfare assist -

Setty.
Keshari

4/7 - husband of rider

Accounted by P. vic. of Security
Ind. - Rufus Woodley.



W.O. Danhauser. Gave us 5 minutes to move out of premises. Before 5 minutes expired:

N.H. Singh grabbed S. Naidoo & pushed him towards the door. P.S. Govender was at that time talking to Mr. Sigamoney. P.S. Govender came to S. Naidoo and inquired where they were taking S. Naidoo to. N. H. Singh produced a firearm and Sgt. Cave held P.S. Govender. Both P.S. S. Naidoo & P.S. Govender were removed and placed in separate vans.

(Language used by Singh, historical relationship between accused & S.B.)

(Discharging of teargas in close proximity of police vans)

Delay in formulating charges - from 3.45 to about 8pm. - nature of initial charges formulated - indicate a pot. bias in S.Bs.