

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF JOHANNESBURG

HELD AT JOHANNESBURG

CASE NO. 12/4194/778

In the matter of:

THE STATE

and

ANDREW RATSOMO & ANOTHER

Accused

REQUEST FOR FURTHER PARTICULARS TO THE INDICTMENT ON
BEHALF OF THE ACCUSED

The above-mentioned accused require the following particulars to the indictment to enable them to plead thereto.

AD MAIN COUNT:

1. Is it alleged that the accused acted with a common purpose?

2. If the answer to paragraph 1 above is in the affirmative, the following information is required:
 - (a) When, where and on what occasion was the common purpose entered into?

(b) /.....

(b) Was the common purpose arrived at by express agreement or is it to be inferred from conduct or other facts and circumstances?

(c) If the agreement was express:

(i) the precise terms thereof are required;

(ii) was it written or oral?

(iii) if written, a copy of such writing is required.

(d) (i) If the common purpose is a matter of inference, the State is required to specify the conduct, facts, circumstances and utterances which the State will rely on in order to draw the said inference.

(ii) If the complicity of any accused in the alleged common purpose is a matter of inference, the State is required to specify the conduct, facts, circumstances and utterances which the State will rely upon/....

upon in order to draw the
aforesaid inferences.

- (e) Who, apart from the accused, were parties to such common purpose?
3. (a) Precisely who is it alleged, addressed the said meeting?
- (b) In precisely what manner is it alleged that the said meeting was addressed?
- (c) Precisely where near Harrison Street is it alleged that the said meeting was addressed?
4. If it is alleged that any other persons acting in concert with any of the accused committed the acts referred to in the aforesaid particulars, as far as the Main Count is concerned, the names and particulars of each such person are required, alternatively particulars which will enable the accused to identify the said persons are required.
5. AD THE ALTERNATIVE COUNT:
The particulars requested in paragraphs 1 and 2 above are hereby repeated mutatis mutandis in respect of the alternative count.
6. /.....

4.

6. Precisely where and when is it alleged that the accused attended the said unlawful meeting?
7. Is it alleged that the accused attended the said unlawful meeting together?
8. In order to avoid unnecessary adjourments at the trial, a copy or sight of the documentary exhibits that the State will rely on, such as plans, photographs, identification parade forms and the like is requested.
9. Copies are required of any alleged statements made by the accused in writing or any alleged statements which have been reduced to writing, other than those which have already been supplied to the defence.
10. If the State will seek to rely on any alleged confession, a copy thereof is required.

DATED AT JOHANNESBURG, THIS 10th DAY OF SEPTEMBER, 1977

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