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Le Quotidien

Insolite

Dans les Hautes-Alpes, un village coupé du monde pendant tout le week-end après un éboulement

Page 7

Santé

Bienfaits sur la citonelle

Page 7

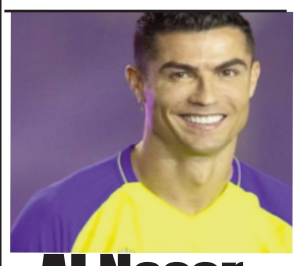
Les huiles essenielles sont hautement concentrées en actifs de plantes.

Page 7

Football

Arsenal à l'ordre du jour pour Emery

les Magpies perdent Pope mais auraient déjà son remplaçant



Al Nassr : Ronaldo va jouer son 1200e match

Page 8

Assassinat se Vanessa Lagesse

La demande de 'stay of proceedings' de Bernard Maigrot

Le procès de Bernard Maigrot pour l'assassinat de Vanessa Lagesse à Grand Baie suit son cours. En effet, le juge Lutchmeeparsad Aujayeb a rejeté les objections prélimilaires formulées par Bernard Lagesse. Par conséquent, il n'y aura pas de 'stay of proceedings'. Pour le juge Aujayeb, il n'a pas été établi que l'accusé a 'suffered serious and significant prejudice to such an extent that no fair trial can be envisaged.' Il ajoute: 'The Court finds that there is no justification to order a stay of proceedings in the present matter. The trial is to proceed'.

Voir jugement en pages 2,3, 4 & 5

Le ministre Maudhoo :

Le FEM investit 6,9 millions de dollars pour l'élaboration de plans de gestion de l'encrassement biologique

La formation de renforcement des capacités d'une journée et demie, visant à familiariser les acteurs publics et privés avec l'élaboration et l'analyse des plans de gestion du bioencrassement et le remplissage des registres, s'est ouverte au Caudan Arts Centre, à Port Louis. Organisé sous les auspices du projet GloFouling Partnerships, cet atelier est une initiative conjointe du ministère de l'Économie bleue, des ressources marines, de la pêche et du transport maritime, et de l'Organisation maritime internationale (OMI), en étroite collaboration avec le Programme des Nations Unies pour le développement et le Fonds pour l'environnement mondial (FEM). Le ministre de l'Économie bleue, des ressources marines, de la pêche et du transport maritime, M. Sudheer Maudhoo ; le directeur de la navigation, capitaine Asiva Coopen ; la personne ressource désignée de l'OMI, le Capitaine D. Babacar ; et d'autres personnalités ont assisté à l'événement de lancement.

Dans son discours, le ministre Maudhoo a souligné l'importance de la fourniture d'une formation technique aux parties prenantes impliquées dans l'exploitation des hubs maritimes. L'encrassement biologique, a-t-il indiqué, fait allusion à l'accumulation d'espèces envahissantes indésirables et, dans certains cas, nuisibles, sur la surface des navires, ajoutant que cela est très probable lorsque les navires transitent vers d'autres ports. À cet égard, il a souligné la nécessité d'adopter les meilleures pratiques pour améliorer la gestion de l'encrassement biologique et pour la préservation ainsi que la protection des espèces marines endémiques de Maurice. M. Maudhoo a, en outre, souligné l'adoption d'une approche proactive pour mettre en œuvre les lignes directrices de l'OMI. Il a informé que le projet, d'une durée de six ans et demi, bénéficiera aux parties prenantes locales, à six organisations environnementales internationales et à 60 partenaires stratégiques à travers de nombreuses activités de renforcement des capacités, des ateliers de formation et des opportunités de déploiement de technologies pour résoudre le problème des espèces aquatiques envahissantes jusqu'en mai 2025. Le FEM, a-t-il ajouté, investit 6,9 millions de dollars dans cette entreprise. Parlant de la propagation des organismes marins non indigènes, le ministre Maudhoo a indiqué que ces espèces envahissantes pénètrent normalement dans la mer mauricienne par le rejet des eaux de ballast, les hubs de navires ou les activités aquacoles. Si des techniques ne sont pas adoptées pour empêcher la propagation, l'espèce aura des conséquences néfastes sur l'efficacité des navires, la consommation de carburant et les écosystèmes marins et, par extension, sur le développement de l'industrie maritime du pays. Pour M. Maudhoo, la formation dotera les parties prenantes des connaissances et des outils nécessaires pour élaborer et analyser des plans de gestion de l'encrassement biologique et des registres afin d'améliorer les performances hydrodynamiques du navire. Cela, a-t-il souligné, réduira à son tour la consommation de carburant et les émissions de polluants atmosphériques et de gaz à effet de serre, préservant ainsi l'environnement marin.

De son côté, M. Coopen a réitéré l'impératif de la formation pour préparer les acteurs à mieux lutter contre le biofouling et mettre en œuvre les conventions et protocoles maritimes mis en place par l'OMI.

Quant à M. Babacar, il a lié 7 % des infestations marines invasives à l'encrassement biologique et a souligné l'importance cruciale, encore négligée, des stratégies de gestion de l'encrassement biologique pour favoriser un avenir océanique plus propre, plus sûr et plus efficace.

Assassinat se Vanessa Lagesse

La demande de 'stay of proceedings' de Bernard Maigrot rejeté

THE STATE
V
MARIE FRANCOIS BERNARD MAIGROT

THE SUPREME COURT OF MAURITIUS
(Criminal Division)

In the matter of:-

The State
V
Marie François Bernard Maigrot

RULING

The accused stands charged in an Information before the Court for having criminally and wilfully killed one Vanessa Claude Lagesse on or about 9 March 2001 at Grand Baie in breach of sections 215 and 223(3) of the Criminal Code. Learned senior counsel for the defence has raised preliminary objections which have been set out below in verbatim-

1.The defence moves for a permanent stay of the present proceedings on the ground that the decision of the Director of Public Prosecutions not to proceed by way of a preliminary enquiry first, especially given the history of the case, infringes the constitutional rights of the accused to a fair trial and is an abuse of the process of the Court, especially given that the DPP has issued not one but two distinct discontinuance of proceedings in this case, once after the District Magistrate of Riviere du Rempart had committed the accused to the Assizes and then a second time after the decision of Marie Joseph J in CS 6/12.

2.The defence moves for a permanent stay of proceedings on the ground of abuse of process given the unconscionable delay which has lapsed since the commission of the offence and the arrest of the accused in 2001 and the date that this case has been lodged.

3.The defence moves for a permanent stay of proceedings in as much as allowing the matter to proceed will be a gross abuse of process of the Court after this Court, as previously constituted, had, on an information averring the same offence vide CS 6/12, ruled that it was not open to the prosecution to prosecute the accused for the very same offence with which he stands charged today, on the ground that the new scientific evidence which had prompted the new prosecution, had never been put to the accused in the course of the police inquiry. The defence contends that this Court would be allowing its process to be abused if the DPP is allowed, as in the present matter, to file a DOP when things go wrong, go back to the drawing board and better the case for the prosecution by way of inquiry or otherwise then lodge another information for the same offence, knowing that the case cannot be presided over by the same Judge who had ruled against the prosecution.

Both counsels for the prosecution and the defence have agreed that these motions are to be dealt with as pre-trial issues, to be thrashed out before the accused is arraigned and the case set out to be taken on the merits before an empanelled Jury. Prior to embarking into an analysis and consideration of the motions raised by learned senior counsel for the defence as elaborated above, it is relevant to briefly examine the salient

background of the present matter by way of a chronology of events, as gathered from a reading of the sworn affidavit dated 27 February 2023 put in by the duly authorised representative on behalf of the prosecution as well as a timeline of the case submitted by the defence).

Vanessa Claude Lagesse (the victim) was found dead in a bathtub, in her bungalow at Grand Baie on 10 March 2001. Marie François Bernard Maigrot (the accused) was interviewed soon after the event on 24 March 2001 in connection with the killing of the victim and was arrested on 23 April 2001 under the charge of murder. On 24 April 2001, the accused appeared before the Mapou Court and he moved to be released on bail and was subsequently admitted to bail on 6 July 2001

The main police enquiry file was then sent to the learned Director of Public Prosecutions (DPP) for advice on 26 July 2001, following which a preliminary enquiry was initiated on 7 May 2003, which lasted for about 3 years. As per the provisions of the law at that time there was a legal requirement to hold a preliminary enquiry, before any decision as to the committal of an accused party to stand trial could be taken by the learned Director of Public Prosecutions. The Learned Magistrate

committed the accused to stand trial at the Assizes on 28 November 2007. However, on 2 June 2008 the DPP elected not to proceed ahead and the proceedings against the accused were purely and simply discontinued.

.Subsequently, on 4 July 2008, there was a re-opening of the investigation which lasted over a period of 3 years involving the assistance of the French authorities and certain exhibits were sent to France for DNA testing with the assistance of the forensic science laboratory.

On 28 December 2010, the re-opening of the case was announced by the police authorities and on 23 May 2011, the accused was asked to furnish a further statement to which he refused, as he was not informed of any evidence against him. Accused was arrested anew on 03 June 2011 and was released on bail. The Police enquiry was completed on 11 August 2011 and the case file was referred to the learned DPP anew. Consequently, on 18 May 2012 an Information on a charge of manslaughter was lodged against the accused before the Assizes.

The prosecution purportedly communicated 3 bundles of scientific documents to the defence on 5 November 2014 and the defence intimated that these would be sent to their appointed experts abroad and this process may require some time. Thereafter, on 14 January 2015, Mr. G. Glover, senior counsel informed the Court that he shall henceforth be appearing for the accused, as Mr. Collendavelloo senior counsel who had been appearing for the accused had been appointed as a Minister. The Defence moved for communication of

further documents and set out a list of those documents in a letter that was sent to the DPP's office. The reply of the DPP came on 27 January 2015, stating that the requested Information had already been communicated to the Defence. Subsequently, the matter was set out for arguments on 12 May 2015 on the preliminary point as to whether a Jury should be constituted and then deal with matters concerning the particulars which have been requested by the defence or alternatively whether this issue should be dealt with first and then the Jury constituted. The ruling was read and filed on 21 September 2016, whereby the motion of the learned prosecuting counsel that the Jury should be empanelled prior to hearing the motion to stay proceedings was set aside.

On 25 April 2018, the Court delivered a ruling to the effect that the stay of proceedings for lack of preliminary enquiry was not warranted.

In August 2019, following the demise of the learned Judge who had been hearing the matter, the case was started anew on 5 September 2019 before a differently constituted bench. Learned defence counsel stated that he would take preliminary points in law anew to the effect that a preliminary enquiry ought to have been carried out prior to the prosecution of the accused before the Assizes. Another ruling setting aside the motion of stay of proceedings on the ground that a

preliminary enquiry was not carried out was delivered and the motion set aside by the Court.

Furthermore, on 29 October 2020, a Ruling setting aside the motion of the defence to stay proceedings on the ground that the accused was not confronted, at enquiry stage, with new scientific evidence which led to the re-opening of the enquiry in 2010 was delivered. The Court concluded that the case was to continue and on 25 November 2020 the prosecution intimated that the case would be proceeded with. However, the matter was fixed for Arguments on whether the prosecution could make reference to the impugned scientific evidence in its opening speech and arguments were heard on this issue on 21 January 2021. Thereafter on 25 February 2021, the Court informed the prosecution and the defence that further arguments would have to be heard in relation to whether in the event the Court was to order the prosecution not to refer to the new impugned scientific evidence in its opening speech, a stay of proceedings would have to be ordered. The matter was adjourned to 05 March 2021, on which date it was observed by the previously constituted bench that the prosecution could not refer to the new evidence, which had been deemed inadmissible by the Court. There was subsequently a period of sanitary lockdown in Mauritius due to the Covid-19 pandemic.

Additionally, the motion by the Prosecution inviting the Court to consider section 168(a) of the Criminal Procedure Act for a referral to the Court of Criminal Appeal on the issue of the forensic evidence being inadmissible was set aside on 19 January 2022. Thereafter, on 9 February 2022, the DPP filed a Discontinuance of Proceedings (DOP) in the previous matter against the accused (case CS 6/2012). The prosecution informed the Court that the accused will be confronted to the forensic evidence and a time-frame would be set out to carry out this exercise within the shortest possible delay. It was highlighted by the prosecution before the Court (as then constituted) that the report of the scientific evidence was already in possession of the defence.

On 11 February 2022, a convocation letter was sent to the accused requesting him to attend the Central Criminal Investigation Division of the police (CCID) on 14 February 2022 for an interview in relation to the death of Vanessa Claude Lagesse (police file OB 631/01 Grand Baie). The accused referred the police to his defence counsel who acknowledged the said convocation letter on his behalf. On the latter date, counsel for the accused requested for a stay of further inquiry by the CCID until the determination of a due process in which the decision regarding the re-opening and/or further inquiry by the police may be subjected to a decision of the Courts. On the same date, a letter was sent by the police to the accused informing him of the purport of the enquiry which was to confront him with the scientific evidence of the police and convening him for the enquiry in relation to the death of Vanessa Lagesse. A copy of the report of the "Laboratoire d'Hematologie Medico-Legale" from France was attached to the said convocation letter.

On 16 February 2022, the accused's counsel reiterated that it would not be possible for his client to subject himself to any further inquiry until the determination of the due process, in which the decision(s) regarding the re-opening and/or further inquiry by the police would be subject to a decision of the Courts. As such, on 17 February 2022, the Police wrote to the accused's counsel informing him about the purport of the interview. The next day, on 18 February 2022, the police sent a letter to the accused counsel to inform him that despite the fact

that accused had been duly convened to attend CCID on several occasions, he had failed to do so and the case file was sent to the DPP's office for advice.

Ultimately, on 21 February 2022 the DPP lodged another Information before the Assizes against the accused for the same offence (SC 7/22). On 03 of March 2022, the defence made several motions for abuse of process and moved for a permanent stay of proceedings. The case was heard by way of arguments on the scheduled dates in March 2023 before this Court.

The Court proposes to deal with the motions raised by learned senior counsel in the order in which they were addressed and submissions offered before the Court, namely motion 3 followed by motions 2 and 1.

Motion 3 – Abuse of Process on the grounds of abuse of the discretion of the DPP under section 72(3) of the Constitution.

The third motion of learned senior counsel for the defence is that there ought to be a permanent stay of proceedings as it was not open for the prosecution to prosecute the accused for the very same offence with which he stands charged on the ground that new scientific evidence, which has prompted the new prosecution, had never been put to the accused party in the course of the police enquiry. The defence contends that this Court would allow its process to be abused if the DPP is allowed to file a discontinuance of proceedings, to better the case for the prosecution by way of any further enquiry or otherwise lodge another Information for the same offence, knowing well that the case cannot be presided over by the same judge who has ruled against the prosecution.

Suite page 3

Assassinat se Vanessa Lagesse

Learned senior counsel for the defence made reference to the Court proceedings of 09 February 2022 (document B) and submitted that these convey messages which cannot be clearer and were made with a view to find excuses for what the DPP would do thereafter. First and foremost, as per the defence submission, counsel for the prosecution gave evidence from the bar while stating that "the case against the accused was reopened when the prosecution received a forensic report implicating accused in the manslaughter of one Vanessa Lagesse. The prosecution made it clear throughout that the new scientific evidence was a key component of its case against accused and it was the very basis to re-open the case". The prosecution was of the view that a rational approach was to stop the proceedings and start anew, notwithstanding the fact that 21 years has lapsed and it was through no fault of the accused that they did not have the relevant evidence when they needed it. The prosecution was therefore going to better its case to cure its defect in its case by confronting the accused with the evidence, not in any manner but by setting a time frame to carry out the exercise, in the shortest possible delay. As per the witness called by the prosecution, the delay between 9 and 18 of February 2022 was the shortest delay which existed between two occurrences in this case since the unfortunate demise of the victim. As much as the prosecution showed its concerns with regards to the delay in the proceedings since the occurrence of the offence while insisting that it has been diligent throughout.For the defence, the mindset of the prosecution in this case is to obtain a conviction by any means and there is no other way but to continue to prosecute the accused for the alleged killing of the victim. It is submitted by the defence that the prosecution is attempting to circumvent the ruling of the Court 21 years after the event in order to have yet another bite at the cherry. As per learned counsel for the defence there is no doubt, that under section 72(3) of the Constitution the Director of Public Prosecutions has the power, in any case in which he considers it desirable, to institute and undertake criminal proceedings before any Court of law and to discontinue at any stage before judgment is delivered any such criminal proceedings instituted or undertaken by himself or any other person or authority.

The defence made it a point to clarify that it did not have any issues with the discretion conferred by the constitution upon the DPP. However, the defence rather takes issue with the application of the discretion of the DPP in this particular case. In Mohit Jeewan v Director of Public Prosecutions [2005 PRV 31], the Privy Council had the opportunity to review the powers of the DPP and the following was stated in no uncertain terms, namely-

> *"Under the Constitution of Mauritius, the DPP is a public officer. He has powers conferred on him by the Constitution and enjoys no powers derived from the royal prerogative. Like any other public officer, he must exercise his powers in accordance with the Constitution and other relevant laws, doing so independently of any other person or authority. Again, like any other public officer, he must exercise his powers lawfully, properly and rationally, and an exercise of power that does not meet those criteria is open to challenge and review in the Courts."*

Two important points are to be set down from the above extract. Firstly, the DPP's discretion should be exercised whilst taking into consideration not only the provisions of the Constitution but also the other laws and statutes in force in Mauritius. So much that his discretion cannot and should not supersede the Constitution and any other relevant enactment. Meaning that the DPP's discretion is not an absolute one, it is a fettered discretion. Secondly, the DPP must exercise the powers conferred under the Constitution according to the law in a procedurally proper way and should exercise rationality in its judgement when exercising this discretion. The DPP's discretion does not and cannot mean that it is free to do whatever it wishes based on its whims and caprices. The Court was referred to the following observation made in **Lagesse v Director of Public Prosecutions** , namely-

"There is no doubt that the Director's decision to institute and undertake or take over criminal proceedings against any suspect, to discontinue any such proceedings by way of a nolle prosequi or indeed not to institute proceedings in any matter is an administrative decision and as such could be liable to be reviewed by the Courts. However, these administrative decisions fall broadly in two categories and the control exercisable by the Courts will differ depending on which category of decision is in issues.

The first category of the Director's decisions concerns those cases where the decision is to file a nolle prosequi where a prosecution is already in process or where the decision is not to prosecute. The Courts will undoubtedly not interfere with such decisions for two main reasons. First, the complainant always has a remedy against the suspected tortfeasor and there is no fundamental right to see somebody else prosecuted and, in most cases, the complainant may additionally enter a prosecution himself though, even here, the Director can stop the prosecution except on appeal by the convicted person. Secondly, the Courts would find it inappropriate to substitute what would be their own administrative decision to prosecute, at the risk of jeopardising their inherent role to hear and try a case once it comes before them.

The second category of decision is where the Director decides to prosecute. By its very nature and in contradistinction from other administrative decisions, the matter automatically falls under the control of the Courts by virtue of sections 10, 76 and 82 of the The Court went even further in the case of Lagesse (Supra) when considering the power of the Court by making reference to section 119 of the Constitution in the following words:

> *"Section 119 is not a substantive provision of the Constitution which confers, or rather creates, jurisdiction upon or for the Courts. It is, in our judgment, a clause inserted ex abundantia cautelae to spell out that the various provisions of the Constitution which protect various public officers and authorities from other kinds of interference should not be taken to mean that the Courts are thereby precluded from exercising such jurisdiction as is or may be conferred on them by the Constitution or any other law."*

As per learned senior counsel for the defence the important points of this part of **Lagesse (Supra)** are twofold in that, when the DPP decides to use his discretion to file a discontinuance of proceedings or a nolle prosequi or decides not to prosecute, it is clear that the Court cannot intervene. However, the Court can intervene when the DPP uses its discretion to prosecute, as it falls under the control of the Courts by virtue of **sections 10, 76 and 82 of the Constitution.**

Section 10 of the Constitution deals with the protection of the fundamental rights and freedoms of an individual. **section 76 of the Constitution** provides that the Supreme Court has unlimited jurisdiction to hear and determine criminal proceedings under any law. Whereas **section 82** provides for the supervisory jurisdiction of the Supreme Court over subordinate Courts.

Section 119 of the Constitution provides that any person or authority shall not be subject to the direction or control of any other person or authority in the exercise of any functions under this Constitution shall be construed as precluding a Court of law from exercising jurisdiction in relation to any question, whether that person or authority has performed those functions in accordance with this Constitution or any other law or should not perform those functions. These are the cardinal principles enshrined in our constitution and on which learned senior counsel for the defence is relying in the present matter

Learned senior counsel also referred to section 17 of the Courts Act which reads as follows:

> *"The Supreme Court shall have full original jurisdiction to hear, conduct and pass decisions in civil suits,actions, causes, and any matters that may be brought and may be pending before the Supreme Court, and the Supreme Court and the Judges shall sit and proceed to and conduct, and carry on, business in the same manner as the High Court of Justice in England and its Judges."*

As per the submissions of the defence, the motion is clearly one which has been made within the parameters set by these constitutional and legal provisions read in conjunction with the judgment of the Supreme Court in Lagesse (Supra) and Mohit (Supra). Hence, for learned senior counsel, the Court has jurisdiction to rule on the motion of the defence for a permanent stay of proceedings in the present case. The defence stated that on the grounds of abuse of process and that these have been provided for by the constitution and the Court's Act (sections 10,76,82 and 119 and section 17 of the Courts Act) as well as case law and that the Supreme Court has the power to permanently stay the proceedings on ground of abuse of process. The DPP decided to lodge an Information before the Assizes for the same offence and against the same accused after having been at the wrong end of the decision of a previous Court which had decided that the accused constitutional rights had been infringed and that it would not be proper for the evidence on which the prosecution is relying to be adduced.

Learned senior counsel for the defence further stated that the accused has not had the opportunity, during the police enquiry, to give his version on the impugned piece of evidence. As such, in failing to give him that possibility the accused would be bound to have to come to depone and therefore relinquish his absolute right not to have to depone in a trial against him and that is the rationale behind the decision in this case and the other authorities on the same subject.

Reference was also made to the guidelines on prosecution, which highlights at the very outset the following:

> *"When considering the institution or continuation of criminal proceedings the first question to be determined is the sufficiency of evidence.*
> *A prosecution should not be commenced or continued unless there is admissible, substantial and reliable evidence that a criminal offence known to the law has been committed by an identifiable person. The proper test is there is a reasonable prospect of a conviction should proceedings be instituted. This decision an evaluation of how strong the case is likely to be when presented at trial."*

At this juncture, the Court's attention was drawn to the affidavit of the prosecution's witness, wherein the latter stated that on 22 October 2007 the preliminary enquiry in this case ended. On 28 November 2007 the Magistrate committed the accused to stand trial at the Assizes. Also, the witness stated in his affidavit that on 02 June 2008, the learned DPP elected not to proceed with the trial of the accused and discontinued the proceedings. That is the first discontinuance of proceedings which can only have been made because the learned DPP, after having applied the proper test, was of the view that there was no reasonable prospect of any conviction should proceedings be instituted. When conducting this exercise, it is said that the decision requires an evaluation of how strong the case is likely to be whilst standing trial.

The said guideline elaborates a full two stage test, with stage one being the evidential test and stage two being the public interest. The evidential stage is where in order to conclude that criminal proceedings should be commenced or continued, a prosecutor must be satisfied that there is a reasonable prospect of a conviction being secured in the case. On this issue, learned counsel for the prosecution is of the view that the scientific evidence was ruled to be inadmissible under the rule of evidence. Defence counsel further stated that the second stage of public interest is when the prosecutor is satisfied that the evidential criteria are met, a prosecution will usually take place unless the prosecutor concludes there are public interest factors tending against a prosecution which outweigh those tending in favour of any prosecution.

A comparative review and analysis of the discretion of the DPP in Mauritius and that in the UK reveals in fine, that the DPP in both jurisdictions is conferred the discretion to start, continue, take over or discontinue any criminal proceedings, save that in Mauritius such discretion is conferred by our Constitution (the Supreme Law in Mauritius) whilst in the UK such discretion is provided for under the Prosecution of Offences Act 1985. A perusal of the Code for

Crown Prosecutors in UK at its paragraph 3.5 shows that it mirrors the situation in Mauritius by stating the following:

> "*Prosecutors should not start or continue a prosecution where their view is that it is highly likely that a Court will rule that a prosecution is an abuse of its process, and stay the proceedings"*

Suite page 4

Assassinat se Vanessa Lagesse

It is the submission of learned counsel for the defence that when the DPP found that the Supreme Court had already decided that the evidence on which the prosecution might be relying may be deemed to be inadmissible, the rational decision which had to be taken was the discontinuance of proceedings. It was no longer rational to discontinue proceedings in order to cure the defect and start a new enquiry while providing a time frame for the curing of the defect, setting a time limit for the accused to come and give his defence after 21 years and then acting by re-initiating the case without having taken the defence of the accused on the new scientific evidence. Learned counsel for the accused ensured that the case for the defence was clearly set out in writing via emails produced in Court while stating their full co-operation with the prosecution and the police. The defence is of the view that they needed time in order to have expert views of that report prior to the confrontation of the accused with such type of evidence.

Learned counsel for the defence was of the view that there was an abuse of process on the part of the DPP when he decided to institute fresh proceedings after having taken the opportunity to cure which he termed as being a defect. The Court cannot take such course of action and as such should rule in favour of the defence as the DPP's discretion is not absolute. If the DPP was to be allowed to proceed, the Court would be perceived as accepting the fact that the DPP is using the criminal process on a trial and error basis which might as well bring the law into disrepute and will surely undermine public confidence in the criminal justice system.Learned counsel for the prosecution submitted extensively on the position of the office of the DPP in filing the discontinuance of proceedings. Learned prosecuting counsel submitted that a preliminary enquiry was conducted against the accused between 24 April 2003 and 28 November 2007. On 02 June 2008, the DPP discontinued proceedings against the accused.

The enquiry against the death of Vanessa Lagesse was re-opened on 28 December 2010 on the basis of new scientific evidence implicating the accused and on the 18 May 2012 the accused was arrested and the charge of manslaughter was lodged against the latter directly before the Supreme Court. However, in the ruling of CS 16/20 the Supreme Court debarred the prosecution from relying on the said scientific evidence on the ground that the police had failed to confront the accused with the evidence, depriving the latter of a fair hearing.

On 19 January 2022, the Court turned down the request to exercise its discretion based on section 168A of the Criminal Procedure Act to refer the question of admissibility of the evidence to the Court of Criminal Appeal. Learned counsel for the prosecution submitted that the DPP took a rational approach and discontinued proceedings against the accused. It was submitted that in acting as it did, the prosecution cannot be taxed for having caused an abuse of process. The prosecution acted with due diligence as following the second discontinuance of proceedings on 09 February 2022, the prosecution lodged a new information merely 12 days later, on 21 February 2022.

Learned counsel for the prosecution referred the Court to the case of State v St Pierre

J.S. [2018 SCJ 142], where two discontinuance of proceedings were filed, similar to the present case. Firstly, due to the guilty plea of a co-accused and secondly due to the unavailability of a prosecution witness to testify in Court. As such, the defence argued that it would be unfair to try the accused on the grounds of delay mostly due to the fact that the case was discontinued twice. Defence counsel submitted that the conduct of the prosecution showed unfairness towards the accused who is being made to answer a charge in relation to the same facts for the third time. However, the Court found that given the seriousness of the charge and the heavy penalty provided for under the law, it was neither unfair not unreasonable for the prosecution to have discontinued proceedings against the accused twice, while stating the following

"However, misguided or over-zealous the conduct of the prosecution may appear in the aspects cited above, it can hardly, in my considered opinion, be said to amount to an improper manipulation of the court process or to otherwise justify a stay in order to protect the integrity of the criminal justice system. I have in particular found no sign of bad faith, malice or improper motive on the part of the prosecution from the evidence and facts before me. Nor am I prepared to say that there has been an improper use of the constitutional prerogative to discontinue the case in 2015 and 2016 in order to re-lodge a new case."

Also, in the recent case of Director of Public Prosecutions v Ducasse C.R.G.M. [2023 SCJ 20] the Supreme Court upheld the reasoning reached in the case of State v MaigrotM.F.B. [2019 SCJ 141] with regards to the issue of confrontation of evidence. The case of Ducasse (supra) cleared the uncertainty in relation to disclosure of evidence and the Decision of Maigrot (supra) was upheld concluding that the test is whether the accused was fully appraised of the case he had to meet when considering whether it was still possible for the respondent to have a fair trial without irreparable prejudice being caused to him. The case of Ducasse (supra) highlighted the following, prior to setting aside the motion for a stay of proceedings, namely-

"… we have considered the reasoning adopted by late Justice Fekna in Maigrot

M.F.B (supra) regarding the importance and pertinence of the element of prejudice when deciding whether it is possible for an accused party to benefit from a fair trial in the light of a neglect of a basic principle or an omission on the part of the police, which at first sight seems objectionable. We need only say that we fully agree with him."

Learned counsel for the prosecution further submitted that the Court in the case of Maigrot (supra) came to the conclusion that a stay of proceedings is a drastic measure which would, for all intents and purposes, have the effect of stopping a trial from proceeding further. It would allow a party charged with a serious offence to get away without a trial. Such a drastic measure is not to be resorted to unless there has been a serious breach of a fundamental right which cannot be cured at the level of the trial and where the only remedy is to stop the trial itself from proceeding any further because to do otherwise would have the effect of bringing the administration of justice in disrepute. Proceedings are not to be stayed for mere technical reasons or when an alternative remedy is available. One cannot ignore societal demands that serious crimes, such as the killing of a human being, should be given a hearing before a properly constituted Court of law.

It is a fact that the proceedings against the accused was discontinued and a new case lodged. The accused was called upon to attend the office of the major crime investigation team (MCIT) of the police on 11 February 2022 to be confronted with the new scientific evidence. The accused however, failed to attend the office of the MICT despite the time given to him was extended up till 19 February 2022. Learned counsel for the prosecution drew a distinction between the duty of the police to confront the accused with any evidence and the duty of the police to give an opportunity to the accused to give his version regarding the evidence against him.

Learned counsel for the prosecution made a statement to the effect that the argument that accused could not be confronted with the new scientific evidence as he needed time to seek expert evidence is untenable. For the prosecution, the defence has had ample time to prepare its defence as it had been communicated with all information regarding the new scientific evidence since the year 2013. However, the defence strongly contests the statement that accused was in possession of the said report containing the new scientific evidence back in 2013. For learned counsel of the defence, it was only through a letter dated 14 February 2022 from the MCIT that accused came in possession of the report with regards to the new scientific evidence.

Lastly, learned counsel for the prosecution submitted that the proper forum to decide on any abusive exercise of discretion by the DPP is by way of judicial review. The main argument being the absence of records before the presently constituted bench in order to assess how the decision-making process of the DPP may be flawed. Further, the proper remedy as per the submissions of learned counsel for the prosecution ought to be a certiorari quashing the DPP's decision to institute proceedings against the accused. Learned counsel for the prosecution referred the Court to the case of Fakeermahmod M.S. v Financial Services Commission [2019 SCJ 323] where the Court asserted the procedure that had to be adopted in Mauritius when one is seeking a prerogative order and held as follows:

Now, learned counsel for the applicant has submitted that the present action is an ordinary action and not a judicial review application. It is worth noting that it was held in O'Reilly(supra) that where the proper remedy is by way of judicial review,

"as a general rule it would be contrary to public policy and an abuse of the process of the court for a plaintiff complaining of a public authority's infringement of his public law rights to seek redress by ordinary action."

See also **Boodhoo K v Dental Council of Mauritius**

In light of the above, learned counsel for the prosecution submitted that the motion and line of argument being run by the defence before this Court is an abuse of its process for having failed to adopt the proper procedure before the appropriate forum. For the prosecution, there has been a proper use of the constitutional prerogative to discontinue a case, to cure a defect, to respect the Constitutional rights of the accused and to re-lodge the case a few days later. The accused has been confronted with all the evidence against him and it was his choice not to attend the police station to give his version regarding the new scientific evidence.

The Court has taken time to carefully consider the extensive and well researched submissions of both learned counsel for the prosecution and learned senior counsel appearing for the defence.

The Court is of the considered view that the crucial question which needs to be answered is whether the omission by the police to confront the accused with the scientific evidence could have had an incidence on his defence. In this particular case, the accused was called by the police with a view to be confronted with the scientific evidence. However, the accused failed to turn up despite the delay within which he was required to come and provide his statement had been extended.

In the case of **Ducasse (Supra),** the appellate Court considered and agreed with the reasoning adopted in **Maigrot (supra)** regarding the importance and pertinence of the element of prejudice when deciding whether it is possible for an accused party to benefit from a fair trial in the light of a neglect of a basic principle or an omission on the part of the police, which at first sight seems objectionable.

It is undisputed that under the general constitutional principles the Courts are empowered and indeed have the duty to stay proceedings with a view to protecting its own process. The Court will undoubtedly proceed to order a stay of proceedings if it is clear that it will be impossible to ensure that accused faces a fair trial and if the Court comes to the conclusion that in the particular circumstances of the case a trial will offend the Court's sense of justice and this would violate the propriety of the Court's process (**vide R v Maxwell [2010] UKSC 48)**. Ultimately, it boils down as to whether the Court comes to the conclusion that the accused cannot in the circumstances benefit from a fair trial and it would be unfair for the accused to be tried. As aptly and succinctly observed in **Hui Chi-Ming v The Queen (Court of Appeal of Hong-Kong; Privy Council Appeal no. 4 of 1991)-**

"… an abuse of process, that is, something so unfair and wrong that the Court should not allow a prosecutor to proceed with what is in all respects a regular proceeding"

***I*n the matter of B. Surinder Singh Karda v The Government of the Federation of Malaya (Privy Council Appeal no. 9 of 1961),** one of the issues raised by way of Appeal to the Board was whether the proceeding which resulted in the dismissing of the appellant Karda following disciplinary proceedings were conducted in accordance with natural justice in that as averred by Mr. Karda who was, a police officer, he was not given a reasonable opportunity to be heard. There was a report of a Board of Inquiry which was not to the knowledge of Mr. Karda until the fourth day of the hearing. The said report of the Board of Inquiry contained a severe condemnation of police officer Karda which had been sent to the adjudicating officer prior to the hearing. Police officer Karda claimed that his constitutional right had been infringed as he had been dismissed without being given a reasonable opportunity of being heard. The Board, in allowing the appeal under that ground, held as follows-

Suite page 5

Assassinat se Vanessa Lagesse

"If the right to be heard is to be a real right which is worth anything, it must carry with it a right in the accused man to know the case which is made against him. He must know what evidence has been given and what statements have been made affecting him: and then he must be given a fair opportunity to correct or contradict them. This appears in all the cases from the celebrated judgment of Lord Loreburn. J.C. in Board of Education v Rice [1911] A.C. at p. 182 down to the decision of their Lordships' Board in Ceylon University v Fernando [1960] I W.L.R. 223. It follows, of course, that the judge or whoever has to adjudicate must not hear evidence or receive representations from one side behind the back of the other. The Court will not enquire whether the evidence or representations did work to his prejudice. Sufficient that they might do so. The Court will not go into the likelihood of prejudice. The risk of it is enough".

The Court, in the present matter, reaches the conclusion that it cannot be said that the accused has suffered any prejudice at this stage due to the fact that he had not been confronted with the new scientific evidence at the material and relevant time. The date of communication of the scientific report way back in the year 2014 is indeed a matter of contention between the defence and the prosecution. However, the accused was communicated with a copy of the scientific report annexed to his convocation letter dated 11 February 2022 to attend the MCIT office, following the filing of the discontinuance of proceedings. In the present case, the accused was informed of the charge against him and was told that fresh scientific evidence had also been gathered against him by the police. The basic tenet of fair trial implies that an accused party, has the right under the Constitution to be fully aware of the case against him and the evidence upon which the prosecution is relying. The accused may then have the opportunity to decide in what manner he will respond to the prosecution's case bearing in mind his constitutional right to silence. The simple question to be answered is in what way the accused may be prejudiced in his defence. The trial has not yet started and accused will have every opportunity to decide as to any course of action in his defence, including the opportunity to challenge any piece of evidence which the prosecution wishes to adduce. The Court is fully alive of the sacrosanct principle that the accused has a constitutional right to silence and the onus is on the prosecution to prove the case beyond reasonable doubt. The fact that the accused had not been confronted to the piece of scientific evidence way back when it had been received by the police is neither here nor there. It rests upon the accused, now that he is in presence of the scientific evidence to determine what would be the best course of action for him to adopt in his defence. The motion is, therefore, set aside

2nd Motion: Abuse of Process on the ground of delay

Learned senior counsel for the defence moved for a permanent stay of proceedings on the ground of abuse of process given the unconscionable delay which has lapsed since the commission of the offence and the arrest of the accused in 2001 and the date that this case has been lodged.

The Court was referred to section 10(1) of the Constitution which lays in no uncertain terms that-

"Where any person is charged with a criminal offence, then, unless the charge is withdrawn, the case shall be afforded a fair hearing within a reasonable time by an independent and impartial court established by law."

The case of **Darmalingum Sooriamurthy v The State (Privy Council)** [1999 PRV 42] was referred to and the following dicta is indeed very relevant when it comes to consider whether any delay constitutes an abuse of process, namely-

"It will be observed that section 10(l) contains three separate guarantees, namely (1) a right to a fair hearing; (2) within a reasonable time; (3) by an independent and impartial court established by law. Hence, if a defendant is convicted after a fair hearing by a proper court, this is no answer to a complaint that there was a breach of the guarantee of a disposal within a reasonable time. And, even if his guilt is manifest, this factor cannot justify or excuse a breach of the guarantee of a disposal within a reasonable time. Moreover, the independence of the "reasonable time" guarantee is relevant to its reach. It may, of course, be applicable where by reason of inordinate delay a defendant is prejudiced in the deployment of his defence. But its reach is wider. It may be applicable in any case where the delay has been inordinate and oppressive. Furthermore, the position must be distinguished from cases where there is no such constitutional guarantee but the question arises whether under the ordinary law a prosecution should be stayed on the grounds of inordinate delay. It is a matter of fundamental importance that the rights contained in section 10(l) were considered important enough by the people of Mauritius, through their representatives, to be enshrined in their constitution. The stamp of constitutionality is an indication of the higher normative force which is attached to the relevant rights: see Mohammed v. The State [1999] 2 W.L.R. 552, at 562G."

The **Privy Council Decision of Boolell v The State** [2006 MR 175] was also cited, where it was observed that "the delay of 12 years gave cause for real concern". It is to be noted that the span of time of 12 years was between the date on which the offence was reported by the complainant and the date the appellant was convicted and sentenced.

The New Zealand Decision of Martin v Tauranga District Court [1995] 2 NZLR 419, 432 was referred to in Boolell (Supra), where it was observed that:

"The right is to trial without undue delay; it is not a right not to be tried after undue delay."

It was further observed in the case of **Boolell (Supra)** that:

(i) If a criminal case is not heard and completed within a reasonable time, that will of itself constitute a breach of section 10(1) of the Constitution, whether or not the defendant has been prejudiced by the delay.
(ii) An appropriate remedy should be afforded for such breach, but the hearing should not be stayed or a conviction quashed on account of delay alone, unless (a) the hearing was unfair or (b) it was unfair to try the defendant at all.
That the threshold for determining a breach of the reasonable time requirement is not easily crossed. In investigating the circumstances the issues which need to be considered are the complexity of the case, the conduct of the defendant, and the manner in which the prosecuting authorities administered the case."

Learned defence counsel further referred to a Ruling in the matter of State v Wasson S J & Ors [2008 SCJ 209] and expatiated on the duty to protect the integrity of the criminal process. The following extract was referred to, namely-

"The Constitution has prescribed guarantees and safeguards more specially under its sections 3 and 10 to ensure that any person who is charged with a criminal offence shall be afforded a fair hearing. The Courts have a duty to protect the integrity of the criminal process and to secure fair treatment to any person charged with a criminal offence in conformity with the norms prescribed under the Constitution. In exercising its power to ensure that there should be a fair trial in accordance with these norms, a criminal Court has a general and inherent power to stay proceedings not only to protect its process from abuse but also to secure a fair trial to those persons who are charged with a criminal offence."

Besides, learned defence counsel relied lengthily on the Ruling of **State v Chocalingum J [**2011 SCJ 330] which summarises the law governing the present motion as follows-

"*First, the defence is not precluded from making a motion of this kind at this stage of the trial. Second, there can be no doubt that pre-trial proceedings, notably the conduct of the police during investigation, are relevant to the issue whether a trial should be stayed for abuse of process".*

The Judiciary's responsibility to maintain the rule of law:

"Third, the reason behind the Court's power to interfere with prosecution by applying the concept of abuse of process is, in the words of Lord Griffiths in R v Horseferry Road Magistrates' Court ex p. Bennett [1994 A.C 42, at p. 61]:

"b**ecause the judiciary accept the responsibili**ty for the maintenance of the rule of law that embraces a willingness to oversee executive action and to refuse to countenance behaviour that threatens either basic human rights or the rule of law"."

Discretionary power of the Court to stay proceedings:

Fourth, as pointed by the House of Lords in R v Latif and R v Shahzad [1996 1 WLR 104] the exercise of the power to stay criminal proceedings is discretionary and it is for the trial Judge, whilst weighing countervailing considerations of policy and justice in the exercise of his discretion, to decide whether there has been an abuse of process which amounts to an affront of the public conscience and thereby requires those proceedings to be stayed."

Delay may make it impossible to guarantee the accused a fair trial:

"Fifth, in the words of Lord Lowry in R v Horseferry Road Magistrates Court (supra) at 72G,

"a Court has a discretion to stay any criminal proceedings on the ground that to try those proceedings will amount to an abuse of its own process either
(1) because it will be impossible (usually by reason of delay) to give the accused a fair trial or
(2) because it offends the Court's sense of justice and propriety to be asked to try the accused in the circumstances of a particular case"."

Something so gravely wrong as to make it unconscionable that a trial should go forward:

"A useful review of several formulations of the principles governing the concept of abuse of process in criminal proceedings is to be found in **The State v S.J. Wasson & Ors (supra)** but as rightly pointed out by Lord Clyde in a case – R v Martin (Allan) [1998 2 W.L.R. 1 at 25 – also cited in that judgment:

"No single formulation will readily cover all cases, but there must be something so gravely wrong as to make it unconscionable that a trial should go forward, such as some fundamental disregard for basic human rights or some gross neglect of the elementary principles of fairness"."

Criminal proceedings should only be stayed on the ground of abuse of process in exceptional circumstances

"Finally, it follows from the above that criminal proceedings should only be stayed on the ground of abuse of process in exceptional circumstances: see the authorities cited in that connection in ***The State v Wasson (supra) in particular the reference made to D.P.P. v Hussain 1 June 1999*** *Times where the Court reiterated the exceptional nature of an order staying proceedings on the ground of abuse of process and stated that such an order should never be made where there was no evidence of prejudice to the defendant. Of particular importance too is the following consideration stressed in R v Hector & François [1984 1 AER 785] also referred to in T****he State v Wasson & Ors (supra):***

"that the trial process itself is equipped to deal with the bulk of complaints on which applications for stay of proceedings are founded"."

It is the submission of learned senior counsel for the defence that the compounding effect of the two motions namely abuse of process due to delay and the DPP's discretion, that is, the manner in which the prosecution has acted throughout the proceedings lead to the conclusion that it would be unfair to try the accused. The time span runs from April 2001 up to 21 of February 2022. It is the contention of the learned defence counsel that many witnesses have passed away and the witness list is not even updated.

The defence also drew some similarities between Article 6 of the UK Human Rights Act 1998 and Article 6 of the European Convention of Human Rights to section 10 of our Constitution and as such relied on the following cases to buttress the argument of abuse of process on the ground of delay. Learned senior counsel for the defence pertinently raised the questions of as to when does the 'reasonable time' start to run and also what is meant by a reasonable time?

Suite dans notre prochain édition

NOTICE UNDER SECTION 36 (2) (C) OF THE COMPANIES ACT 2001

Notice is hereby that Edge Tech Solutions has by Special Resolution passed on 13 June 2023, changed its name to Mbinduki (Mauritius) Limited as evidenced by the Certificate given under the hand of Registrar of Companies dated 23 August 2023.

Dated : 24 November 2023

Ocorian Corporate Services (Mauritius) Limited
Company Secretary

NOTICE UNDER SECTION 36 (2) (C) OF THE COMPANIES ACT 2001

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Dated : 24 November 2023

Ocorian Corporate Services (Mauritius) Limited
Company Secretary

NOTICE UNDER SECTION 311(2) OF THE COMPANIES ACT 2001

NOTICE is hereby given that **PC KUALAKURUN LTD** a company with an authorised company status, (the "company") and having its registered office at 3rd floor, standard chartered tower, 19 cybercity, ebène, mauritius is applying to the registrar of companies to be removed from the register of companies under the provisions of section 309(1)(d) of the companies act 2001.

Notice is hereby also given that the Company has ceased to carry on business, has discharged in full its liabilities to all known creditors and has distributed its surplus assets in accordance with its constitution and the Companies Act 2001.

Any objection to the removal of the Company under section 312 of the Companies Act 2001 is to be made in writing to the Registrar of Companies not later than 11 January 2024.

TMF Mauritius Limited
Registered Agent
DATED THIS 11 DECEMBER 2023

NEWSPAPER NOTICE FOR BUILDING & LAND USE PERMIT APPLICATION

NOTICE FOR PERMISSION FOR LAND USE

Take notice that I **Bahim Jeetoo,** will apply to the Municipal Council of **Beau-Bassin** for a Building and Land Use Permit for a proposed **Extensive alteration, addition and repairs to an existing building at Lower ground to be used as Technical Gallery, Ground Floor as Showroom, First Floor as Store and residential use and Second floor for Residential unit** at **41, Ambrose Street, Rose-Hill**

Any person feeling aggrieved by the proposal may lodge an objection in writing to the above-named council within 15 days as from the date of this publication.
Date: 11/12/2023

NOTICE UNDER SECTION 117 (1) (a) OF THE INSOLVENCY ACT 2009

ClearTrip, Inc.(Mauritius)

(IN LIQUIDATION)

Notice is hereby given that on the special meeting of ClearTrip, Inc.(Mauritius) (In Liquidation) (the Company) held on the 04th December 2023, I, Mr Cunden Rengassamy, Insolvency Practitioner, The Junction Business Hub, Block B Arsenal Branch Road, Calebasses, has been appointed as liquidator of the above-named company.

Notice is also given to any person, who reckons that the Company holds property belonging to him or property in which he has rights, should submit his claim in writing to the liquidator with all supporting documents in respect of such ownership or rights.

All persons holding any property, documents books and records of the above company are requested to deliver them forthwith to the liquidator.

Further notice is hereby also given that all sums due to the company should be payable to the liquidator and receipts for such payments shall only be valid if they bear the signature of the liquidator or his duly appointed representive.

Dated this 06th day of December 2023

The Liquidator

NOTICE UNDER SECTION 311 OF THE COMPANIES ACT 2001

1. Notice is hereby given that the Company "Porter's World Consult Ltd" having its registered office at Palmiste Road, New Grove, Mauritius is applying to the Registrar of Companies for its removal from the Register under Section 309(1)(d) of the Companies Act 2001.
2. Notice is hereby also given that the Company has ceased to carry on business, has discharged in full its liabilities to all its known creditors, and has distributed its surplus assets in accordance with its Constitution and the Companies Act 2001.
3. Any objection to the removal of the Company under Section 313 of the Companies Act 2001 should be delivered to the Registrar of Companies not later than 28 days after the date of this notice.

Dated this 5 December 2023

NOTICE UNDER SECTION 311(2) OF THE COMPANIES ACT 2001

NOTICE is hereby given that **PC RANDUGUNTING LTD** a company with an authorised company status, (the "company") and having its registered office at 3rd floor, standard chartered tower, 19 cybercity, ebène, mauritius is applying to the registrar of companies to be removed from the register of companies under the provisions of section 309(1)(d) of the companies act 2001.

Notice is hereby also given that the Company has ceased to carry on business, has discharged in full its liabilities to all known creditors and has distributed its surplus assets in accordance with its constitution and the Companies Act 2001.

Any objection to the removal of the Company under section 312 of the Companies Act 2001 is to be made in writing to the Registrar of Companies not later than 11 January 2024.

TMF Mauritius Limited
Registered Agent
DATED THIS 11 DECEMBER 2023

SALE BY LICITATION

Notice is hereby given that on **Thursday** the **21st March, 2024, at 1.30 p.m.** shall take place before the Master's Bar Situate at New Supreme Court Building, Corner Desroches & Edith Cavell Streets, Port Louis, the Sale by Licitation prosecuted at the request of Dayanand BALLOO against 1. Sweta RAMNARAIN FRANCOIS, 2. Heirs of late Kamini Bhai HANENDAH (a) Ww Laleenee Bhaye RAGAVOODOO (born HANENDAH), (b) Neerwattee RAMA (born HANENDAH), (c) Heirs of late Devanand HANENDAH (i) Roshan HANENDAH, (ii) Yudish HANENDAH and (iii) Seewantee HANENDAH born MAHADOO of the hereunder described property, viz:- A portion of land being lot No. 1 of extent of 3 perches situate in the district of Plaines Wilhems, place called Reunion and bounded as follows:- D'un Cote, par un chemin commun sur cinquante cinq pieds, D'un Second cote, par Lochun Khanee,sur vingt et un pieds, Du troisieme cote, par Seewoo Mungur sur cinquante quatre pieds et du dernier cote, par le Lot No.3 sur vingt deux pieds and morefully described in a deed transcribed in TV 862No.110. There stands on the said portion of land a concrete house under slab comprising of a ground floor and first floor and all that depends or forms part thereof without any exceptions or reservations whatsoever, the whole morefully described in the said of Memorandum of Charges. All Parties Claiming a right to take inscription of legal mortgage upon the said property are warned that they must do so before the transcription of the judgement of adjudication failing which they shall be debarred from such right.

Under all legal reservations

Dated at Port Louis,this 1st day of December,2023

Roshan RAJROOP
Suite No.404, 4th Floor, Sterling Tower, 14 Poudriere Street, Port-Louis
ATTORNEY IN CHARGE OF THE SALE

NOTICE UNDER SECTION 137 (3) AND 137 (6) OF THE INSOLVENCY ACT 2009

ClearTrip, Inc.(Mauritius)

(In Liquidation)

Notice is hereby given that:

(1) The shareholders of the above-named company have resolved on 04 December 2023 that the Company be Wound-up under section 137 (1) (b) of the Insolvency Act 2009

(2) Mr Cunden Rengassamy, Insolvency Practitioner of XLNC - RC Partners Ltd, The Junction Business Hub, Block B Arsenal Branch Road, Calebasses has been appointed as liquidator of ClearTrip, Inc.(Mauritius) (In Liquidation).

(3) In compliance with section 137 (4) (a) of the Insolvency Act 2009, a declaration has been lodged with the Director of Insolvency Service to the effect that the Company is insolvent .

Dated this 06th Day of December 2023

Director

Meta renforce la confidentialité des messages envoyés sur Messenger et Facebook

Meta veut renforcer la confidentialité des messages sur Messenger et Facebook. Le géant des réseaux sociaux a commencé à chiffrer de bout en bout « toutes les conversations et appels personnels sur Messenger et Facebook », comme sur WhatsApp. Ce type de cryptage va rendre les échanges privés sur la messagerie et la plateforme et « encore plus confidentiels et sécurisés », a-t-il fait valoir mercredi dans un communiqué.

« Cela signifie que personne, y compris Meta, ne peut voir ce qui est envoyé ou dit, à moins que vous ne choisissiez de nous signaler un message », a détaillé le groupe américain. Les utilisateurs de Messenger pouvaient déjà choisir cette option, mais elle est désormais mise en place par défaut, comme sur WhatsApp, la messagerie rachetée par l'entreprise californienne en 2014. La mise à jour contient aussi des fonctionnalités supplémentaires, dont la possibilité de modifier les messages et des images (photos et vidéos) de meilleure qualité.

De nombreux gouvernements s'y opposent Ce déploiement annoncé depuis des années intervient alors que différentes autorités s'opposent au cryptage de bout en bout sur les applications de Meta. Elles souhaitent que la justice de leur pays puisse récupérer les e-mails, messages instantanés et photos échangées, essentiels dans le cadre d'enquêtes criminelles.En septembre, le gouvernement britannique a exhorté le groupe californien à ne pas passer à l'acte sans mesures de sécurité « solides » pour protéger les enfants de toute exploitation sexuelle. Le Home Office craint que cela n'empêche la police de détecter les violences sur les enfants comme ils le font actuellement, via les signalements de messages notamment. La société avait assuré qu'elle continuerait « à effectuer plus de signalements aux forces de l'ordre que nos pairs grâce à notre travail en pointe dans le secteur ».

l'Etat américain du Nouveau-Mexique a porté plainte contre Meta, accusant ses plateformes de favoriser la pédocriminalité, des contenus pédopornographiques aux algorithmes de recommandation et aux sollicitations criminelles. A l'inverse, le gouvernement français a demandé fin novembre aux cabinets ministériels de remplacer les messageries classiques, comme WhatsApp ou son concurrent Signal, par Olvid, une application inconnue du grand public qu'il considère comme plus sûre.

Créée en 2019 par des experts français en cybersécurité, Olvid ne chiffre pas seulement les messages de bout en bout, mais aussi les métadonnées (qui parle à qui et à quel moment). « Nous avons conçu notre chiffrement de bout en bout sur la base de principes cryptographiques solides, tels que le protocole Signal et notre propre protocole, Labyrinth

NOTICE UNDER SECTION 311 (2)OF THE COMPANIES ACT 2001 OF THE REPUBLIC OF MAURITIUS

In the matter of:

VITOL BUNKERS (MAURITIUS) PVT LTD

Notice is hereby given:

That **VITOL BUNKERS (MAURITIUS) PVT LTD,** a Domestic Company, having its registered office at 3rd Floor, Harbour Front Building, President John Kennedy Street, Port Louis, Republic of Mauritius, is to be removed from the register of Companies under Section 309 (1) (d) of the Companies Act 2001 of the Republic of Mauritius.

That the removal is on the grounds that the Company has ceased to carry on business, has discharged in full its liabilities to all its known creditors, and has no surplus assets to be distributed to its sole shareholder.

That objection, if any, should be lodged with the Registrar of Companies, Companies Division, Ground Floor, One Cathedral Square, Jules Koenig Street, Port Louis, Republic of Mauritius, not later than 28 days of the date of this notice.

Dated this 6th December 2023.

For and on behalf of:
PORT LOUIS MANAGEMENT SERVICES
(Secretary)

Santé

Bienfaits sur la citronelle

La citronnelle a pour propriétés majeures d'être digestive, diurétique, répulsive des moustiques, anti-inflammatoire et déodorante. Comment s'en servir par voie interne ou externe, en tisane, en huile essentielle, sans danger ? Conseils et astuces pour en tirer le meilleur parti.Plante tropicale de la famille des graminées, la citronnelle est appelée verveine des Indes, ou citronnelle de Madagascar, Cymbopogon citratus de son nom scientifique.

Partie de la plante utilisée

Les parties aériennes et les feuilles en forme de tiges creuses sont utilisées séchées.

Quels bienfaits santé ?

L'odeur de la citronnelle rappelle celle du citron. Les tiges fraiches sont employées dans la cuisine asiatique pour leur goût citronné, infusées dans les bouillons ou les plats en sauce, mais ce sont leurs vertus anti-moustiques qui sont les plus connues. Ce n'est pourtant pas la seule qualité de cette plante médicinale dont les feuilles sont traditionnellement utilisées dans d'autres indications. "L'infusion de citronnelle a des propriétés digestives (utile en cas de digestion lente), diurétiques (elle soutien le fonctionnement des reins). Elle est anti-inflammatoire et antidouleur sous sa forme d'huile essentielle en cas de rhumatismes, d'arthrite" précise Marie-Ange Guillemet, conseillère en phyto-aromathérapie et aromacologue. L'huile essentielle (HE) de citronnelle a également des vertus anxiolytiques. Enfin, en cas de forte transpiration des pieds, l'HE de citronnelle exerce une action déodorante et régulatrice, en diluant 5 gouttes dans une cuillère à soupe d'huile d'amande douce ou de macadamia, réparties sur les pieds tous les soirs au coucher. Il est également possible de mettre quelques gouttes dans ses chaussures pour éviter les mauvaises odeurs.

Contre les moustiques

En cas de piqûre d'insecte et en répulsif à insectes, notamment les moustiques : utiliser l'huile essentielle de citronnelle diluée à 10% dans une huile végétale, et appliquer sur le bouton 2 à 3 fois par jour, ou étaler le mélange sur les zones exposées aux piqûres pour éviter d'être piqué. "Il est possible de mélanger l'huile essentielle dans du gel d'aloe vera ", en alternative à la dilution dans une huile végétale, suggère la spécialiste. Ne pas utiliser chez les enfants de moins de 6 ans et pendant les 3 premiers mois de grossesse. Par précaution demander conseil à un pharmacien avant.

Sous quelle forme l'utiliser ?

En infusion : pour ses vertus digestives et diurétiques, à raison d'une cuillère à soupe par tasse de 25 cl d'eau bouillante, à laisser infuser 10 minutes. Elle s'apprécie aussi bien chaude que froide.

En huile essentielle : pour ses propriétés répulsives et calmantes des piqûres d'insectes, notamment des moustiques. L'huile essentielle de citronnelle s'utilise

diluée à 10% dans une huile végétale ou un gel d'aloe vera, à appliquer sur le bouton 2 à 3 fois par jour, ou à étaler sur les zones exposées aux piqûres pour éviter d'être piqué. L'usage de l'huile essentielle est à proscrire avant l'âge de 6 ans, chez les personnes asthmatiques, et épileptiques, en application sur la peau, en diffusion ou par voie orale et pendant les 3 premiers mois de grossesse.

En cataplasme d'huile essentielle : pour soulager les douleurs rhumatismales et arthritiques. "Déposer 2 à 3 gouttes d'huile essentielle sur une base d'argile ou sur une serviette chaude", et laisser poser sur la zone concernée, recommande l'experte.

En diffusion : "l'huile essentielle peut être diffusée 10 à 20 minutes toutes les heures pour un effet répulsif des moustiques, jamais en présence des enfants et en prenant soin d'aérer la pièce après diffusion. En revanche, les bougies à la citronnelle sont à éviter pour leur côté toxique ".

En inhalation : pour ses vertus anxiolytiques. L'inhalation de trois gouttes d'huile essentielle réparties sur un mouchoir par exemple, a un effet calmant immédiat en cas d'épreuve psychologique et de stress.

Dangers et effets secondaires

La tisane de citronnelle est sans effet secondaire, ni contre-indication en dessous d'une consommation de 4 cuillères à café par litre et par jour. L'usage de l'huile essentielle est à proscrire avant l'âge de 6 ans, chez les personnes asthmatiques, et épileptiques, en application sur la peau, en diffusion ou par voie orale.

Contre-indications

Sous forme de plante fraîche, il n'y a pas de contre-indication particulière dans le cadre d'un usage respectant les dosages conseillés. L'usage de l'huile essentielle est à proscrire avant l'âge de 6 ans, chez les personnes asthmatiques, et épileptiques, en application sur la peau, en diffusion ou par voie orale et pendant les 3 premiers mois de grossesse. Par précaution, demander toujours l'avis d'un pharmacien avant d'utiliser une huile essentielle.

Précautions grossesse

L'usage de l'huile essentielle est contre-indiqué dans les trois premiers mois de grossesse.

Huiles Essentielles

Les huiles essentielles sont hautement concentrées en actifs de plantes. Utilisées avec justesse et précautions, elles sont incontournables pour soulager mal de gorge, brûlure, douleur dentaire, rhume... Apprenez à les choisir et à vous soigner sans risque avec l'aromathérapie.

Qu'est-ce qu'une huile essentielle ?

"Contrairement à son nom, l'huile essentielle (HE) ne contient aucun corps gras. Elle est le résultat de la distillation des plantes aromatiques à la vapeur d'eau. Cette méthode d'extraction concentre les molécules aromatiques volatiles de la plante fraîche et ses principes actifs. Les vapeurs refroidissent et retournent à l'état liquide en se divisant en deux phases non miscibles : l'eau de la distillation (hydrolat) et l'huile essentielle. Une concentration qui confère à cette dernière son efficacité à petite dose" explique Julien Kaibeck, aromathérapeute.L'huile essentielle peut être extraite : des feuilles, des racines, des fleurs, ou encore des écorces et des tiges de la plante ou de l'arbre. D'un point de vue scientifique, les huiles essentielles sont des composés organiques riches de nombreuses molécules comme des terpènes, des phénols, des terpénols, des esters terpéniques...

Hydrolat : définition, utilisation, lequel choisir ?

L'hydrolat est une eau chargée d'une faible concentration en huile essentielle. Les hydrolats aromatiques sont doux et mieux tolérés par les personnes sensibles aux huiles essentielles. Comment les utiliser ? Lesquels choisir ? Peut-on les utiliser durant la grossesse ? Pour les bébés ? Tous les conseils de Françoise Couic-Marinier, aromathérapeute.

Voie d'administration

Les huiles essentielles peuvent se prendre de différentes façons selon l'objectif du traitement. Lorsqu'elles sont inhalées ou avalées, les huiles essentielles pénètrent rapidement les organes, tandis que lorsqu'elles sont appliquées sur la peau, elles s'introduisent dans le sang plus lentement. Les modes d'administration des huiles essentielles sont les suivants :

Diffuseur d'huiles essentielles : choisir, mode d'emploi, dangers

Diffuser une huile essentielle dans une pièce chez soi apporte quiétude et divers bienfaits liés aux propriétés des huiles essentielles. Faut-il nébuliser, vaporiser, chauffer ? Peut-on diffuser toutes les huiles essentielles ? Les mélanger ? Quels sont les dangers pour soi, pour son enfant ? Mode d'emploi et conseils avisés avec Françoise Couic-Marinier, aromathérapeute.

Qualité, composition : comment choisir une huile essentielle ?

"La qualité thérapeutique d'une huile essentielle repose sur l'origine de la plante, son mode de culture et de récolte (en bio par exemple), et la méthode d'extraction utilisée. Une huile essentielle de qualité est 100 % pure et naturelle, non mélangée à des parfums, des molécules de synthèse. Son étiquette doit comporter le nom scientifique de la plante dont elle est extraite – son nom botanique en latin -, son origine géographique" détaille l'aromathérapeute, mais aussi la date de distillation et celle de la limite d'utilisation optimale.Pour connaître les propriétés d'une huile essentielle :

"Il faut se référer à son chémotype (CT), soit sa composition biochimique (analyse réalisée en laboratoire) qui permet de garantir son action et son efficacité. Les espèces ou variétés différentes d'une plante donnent des huiles tout aussi différentes. La partie de la plante utilisée est également déterminante dans la composition de l'HE et donc dans ses effets. Ainsi par exemple, il est important de savoir différencier un thym chémotypé à thujanol (doux et simple d'utilisation), et un thym à thymol ou carvacrol (très puissant et dangereux dans un mauvais usage)" explique l'aromathérapeute.Une HE se choisit en fonction de l'affection à traiter, de l'âge de la personne et de son état de santé. Une même huile ou recette ne peut convenir à tous.

"Les femmes enceintes et les enfants par exemple ne peuvent en utiliser que quelques-unes et dans une quantité moindre. La première question à se poser est donc

Poisson et crevettes à la nage à la citronelle et aux légumes de saison

Ingrédients

Une boule à thé de citronnelle des légumes: carottes, poireau, champignons de Paris du fumet de poisson
des filets de cabillaud
des tomates cerises
des crevettes décortiquées de citron vert

Préparation

Préparer le bouillon :

Faire infuser une boule à thé de citronnelle dans une demi casserole d'eau sur feu vif.

Ajouter ensuite les légumes épluchés et coupés les uns après les autres : carottes, poireau, champignons de Paris.

Ajouter 1 cuillère à soupe de fumet de poisson dilué dans un verre d'eau et bien mélanger.

Pour le poisson, choisir des filets de cabillaud et couper en lamelles avant de les faire revenir dans de l'huile d'olive avec un tour de moulin à poivre.

Ajouter le poisson dans la casserole.

Au moment de servir,ajouter dans chaque assiette 3 tomates cerises grappes et 3 crevettes décortiquées ainsi que 2 rondelles de citron vert.

INSOLITE

Dans les Hautes-Alpes, un village coupé du monde pendant tout le week-end après un éboulement

Les habitants de la commune de Réallon, dans les Hautes-Alpes, se sont retrouvés coupés du monde ce week-end du 9 décembre. L'unique route menant à cette localité située sur les hauteurs du lac de Serre-Ponçon est bloquée à cause d'un éboulement lié aux intempéries. « Des rochers de trois à quatre mètres de hauteur se sont décrochés » et sont tombés sur la départementale 41 dans la nuit de jeudi 7 à vendredi 8 décembre, explique le maire de Réallon, Michel Montabone.

Environ 260 habitants sont donc piégés, et la situation devrait perdurer tout le week-end. Les premiers travaux pour dégager la route sont programmés ce lundi 11 décembre. Le département prévoit de dégager la voie à l'aide d'engins, ce qui devrait prendre 48 heures.

Jürgen Klopp a confirmé qu'Alisson Becker avait fait son retour à l'entraînement avant le déplacement de Liverpool en Premier League à Crystal Palace.

Le gardien de but est sur la touche depuis qu'il s'est blessé lors du match nul 1-1 à Manchester City le mois dernier.

Alexis Mac Allister, quant à lui, est incertain pour la rencontre de samedi midi à Selhurst Park après le coup qu'il a reçu lors de la victoire contre Sheffield United en milieu de semaine.

S'exprimant lors de sa conférence de presse d'avant-match, Klopp a déclaré : « Alisson a l'air bien, je ne sais pas si c'est assez bon maintenant pour demain. Je dois vérifier cela avec les entraîneurs et le département médical, et avec Ali, bien sûr.

« Macca n'a pas l'air bien, donc nous devons voir au jour le jour. Ils avaient bon espoir après le match que ce n'était pas grave. Ce n'est pas si grave, mais dans la période de l'année, si vous êtes absent pendant cinq jours, c'est à peu près 12 matchs.

« Nous devons attendre qu'il se présente ici aujourd'hui. Je ne m'attends pas à ce qu'il soit prêt pour demain, je ne sais pas pour jeudi ou dimanche après ça, donc c'est à peu près stop and go. Nous devons voir.

Sur la question de savoir si Alisson avait repris l'entraînement, l'entraîneur des Reds a ajouté : « Oui, hier. Hier, il s'est entraîné normalement.Klopp a également été interrogé sur l'avenir du défenseur Joel Matip, qui est dans la dernière année de son contrat à Anfield et a subi une blessure au ligament croisé antérieur le week-end dernier contre Fulham.

Il a déclaré : « Oui, je suis presque sûr que le club montrera sa classe, juste comment vous devriez le faire. Je suis presque sûr que le club a déjà dit à Joel que quoi qu'il arrive, donc tant qu'il est blessé, tout va bien.

« Et maintenant, nous devons prendre une décision avec Joel sur la façon dont cela se présente après cela. C'est une chose normale à faire. Mais, oui, il mérite tout le soutien de notre part, évidemment, et il l'obtiendra. »

MANCHESTER UNITED

La double blessure de Manchester United parmi les cinq choses repérées à l'entraînement

Manchester United sera à la recherche d'une deuxième victoire consécutive en Premier League lorsqu'il accueillera Bournemouth à Old Trafford samedi après-midi.Les Reds, qui ont réalisé le doublé contre les Cherries la saison dernière, ont retrouvé le chemin de la victoire mercredi soir en s'imposant 2-1 face à Chelsea. Scott McTominay a marqué de chaque côté d'une égalisation de Cole Palmer pour hisser United à la sixième place du classement.C'était la réponse idéale à leur défaite 1-0 contre Newcastle United à St James' Park quatre jours plus tôt, au cours de laquelle ils ont produit l'une de leurs performances les plus ternes et les moins inspirantes de l'ère Erik ten Hag. Cela signifie que le Néerlandais aura à cœur que son équipe s'appuie sur cette victoire contre Chelsea et poursuive sa quête d'une place parmi les quatre premiers.Une victoire de United contre Bournemouth les placerait à égalité de points avec Manchester City, qui ne jouera pas avant dimanche ce week-end. Cela signifie qu'il y a un sentiment de pression sur les épaules des Reds pour remporter deux victoires consécutives.

La séance d'entraînement de jeudi à Carrington, moins de 24 heures après la victoire contre Chelsea, a semblé être une séance relativement légère, avec des joueurs qui n'ont pas commencé le match de mercredi soir. Cela signifiait que seuls ceux qui quittaient le banc ou qui n'étaient pas du tout impliqués participaient.

Newcastle : les Magpies perdent Pope mais auraient déjà son remplaçant

Newcastle a perdu son gardien Nick Pope pour plusieurs mois. Mais le club aurait déjà une piste pour le remplacer.

C'est un coup dur pour Newcastle. Sorti sur blessure ce week-end contre Manchester United (1-0), Nick Pope souffre d'une luxation de l'épaule. Le gardien pourrait donc être absent durant 4 à 5 mois, comme l'annonce la presse britannique. Il viendra garnir une infirmerie déjà bien remplie avec Dan Burn, Sven Botman, Callum Wilson, Joe Willock ou encore Harvey Barnes, auxquels on peut ajouter la suspension pour dix mois de Sandro Tonali. Un handicap certain alors que les Magpies peuvent encore se qualifier pour les 8es de finale de la Ligue des champions.

David De Gea en renfort ?

Face à cette longue absence, Newcastle réfléchirait à ses options. Martin Dubravka, titulaire avant l'arrivée de Nick Pope, pourrait se voir de nouveau confier la place de numéro 1. Il suffirait alors de lui trouver une doublure. Mais, selon le Daily Mail, le club anglais songerait également à recruter David De Gea. Toujours libre depuis son départ de Manchester United cet été, le portier espagnol pourrait être réduit par le challenge après avoir refusé des offres plus exotiques en Arabie saoudite.

Rien ne va plus pour Man City !

Terrible série pour Manchester City. Après trois matchs nuls consécutifs en Premier League, les hommes de Pep Guardiola ont été battus sur la pelouse d'Aston Villa (0-1) ce mercredi, dans le cadre de la 15e journée !

Une défaite tout à fait logique, puisque les Skyblues ont été outrageusement dominés par les Villans, avec deux petites frappes tentées contre… 22 en face ! À force de pousser, l'équipe d'Unai Emery a logiquement été récompensée à un quart d'heure du terme grâce à Bailey, parti de la ligne médiane avant de tromper Ederson grâce à une déviation malheureuse de Dias (74e).

Villa en profite d'ailleurs pour prendre la 3e place du championnat à City, qui compte désormais deux points de retard sur son adversaire du soir et six sur le leader Arsenal.

Arsenal à l'ordre du jour pour Emery

Unai Emery s'est joint aux membres des médias locaux et nationaux lors de sa conférence de presse d'avant-match vendredi après-midi.

L'entraîneur d'Aston Villa attendait avec impatience le match contre son ancienne équipe d'Arsenal alors qu'il cherche à maintenir la trajectoire ascendante du club en Premier League.

Voici ce qu'il avait à dire...

Sur le fait d'être dans les quatre premiers..

« Nous pouvons attendre le match 30 ou 32 au cas où nous serions dans les quatre premiers à ce moment-là, alors peut-être que nous pourrons penser que nous sommes des prétendants pour y être.

« Maintenant, nous devons être heureux et nous devons être concentrés. Le match de mercredi est terminé et nous avons apprécié ce moment avec nos supporters à Villa Park, mais maintenant nous devons nous concentrer à 100% sur le match de demain.

« Encore une fois, c'est un grand défi et un grand moment, mais nous sommes très concentrés sur notre travail professionnel pour demain. »

« Avec les supporters, pour moi, c'est clair la voie que nous pouvons suivre : essayer de leur transmettre notre énergie ; Notre idée, notre style et notre énergie sur le terrain.

« Et puis ils vont se connecter avec nous à 100% pour nous soutenir, nous aider à 100% et essayer de créer une bonne ambiance comme nous l'avons créé mercredi.

« L'énergie est très importante et ils vont nous soutenir de la première à la 90e minute, en essayant toujours de jouer le match avec nous. »

« C'est mon défi chaque jour d'être meilleur aujourd'hui qu'hier et meilleur demain qu'aujourd'hui.

« Je ne vais pas m'arrêter. Je dois aussi essayer de garder l'équilibre. Contre Manchester City, nous avons très bien joué, mais je veux essayer de faire des pas en avant comme nous le faisons, mais en pensant que nous devons être à ce niveau, nous devons vouloir être à ce niveau.

« Cela va être difficile et parfois nous pouvons nous rappeler le match que nous avons joué devant Manchester City à Bournemouth et nous avons fait match nul alors que nous étions très proches de perdre. C'est l'équilibre.

« Demain va être très difficile. Nous sommes confiants à domicile et nous nous sentons très bien avec notre structure, avec nos supporters à Villa Park. L'énergie que nous avons là-bas est incroyable.

Sur la mentalité à l'approche d'Arsenal...

Nous ajoutons avec certains joueurs des expériences, et des expériences en Europe, en jouant beaucoup de matches comme nous allons jouer samedi, quatre matches en dix jours.

« Je vais analyser très en profondeur comment nous pouvons aborder le match de demain, en espérant être meilleurs dans nos performances individuelles et collectives.

« La façon dont nous avons terminé le match mercredi est très importante parce qu'ils ont fait un effort incroyable, mais un effort difficile. Si vous voulez jouer à ce niveau, jouer contre les meilleures équipes du monde en Premier League, le défi est très difficile.

« Notre ambition est de vivre un moment passionnant avec nos supporters, avec les rivaux que nous voulons affronter et comment nous pouvons les affronter. Demain, c'est un pas de plus en avant, jouer contre peut-être la meilleure équipe de cette saison en Premier League. »

Al Nassr : Ronaldo va jouer son 1200e match

À l'occasion du match de la 16e journée de Roshn Saudi League entre Al Nassr et Al Riyadh ce vendredi, Cristiano Ronaldo (38 ans, 14 matchs et 15 buts en RPL cette saison) va disputer le 1200e match professionnel de sa carrière ! Pour l'occasion, l'attaquant portugais devrait être célébré par le public du stade de l'Université King Saud, où un hommage est prévu à l'ancien attaquant du Real Madrid.

Seuls quatre joueurs ont participé à davantage de rencontres que CR7 dans l'histoire du football : les Anglais Peter Shilton (1 515) et Paul Bastock (1 286), ainsi que les Brésiliens Rogério Ceni (1 254) et Fábio (1 212).