

1979 April 17

[TRIANTAFYLIDIS, P., A. LOIZOU, MALACHTOS, JJ.]

ANASTASIS PANAYI MANTIS,

*Appellant.*

v.

THE POLICE,

*Respondents.*

( *Criminal Appeal No. 4024*).

*Criminal Law—Sentence—Possessing gambling appliances and conducting himself in a manner likely to cause a breach of the peace—No reason to interfere with concurrent sentences of one month’s imprisonment in view of nature of offences and extremely bad past record of appellant which comprises 113 previous convictions.* 5

*Criminal Law—Sentence—Contempt of Court—Section 44(1)(a) of the Courts of Justice Law, 1960 (Law 14 of 1960)—Following conviction and passing of sentence appellant insulting trial Judge in open Court—No reason to interfere with sentence of one month’s imprisonment, which, in order to serve its purpose, had to be of a consecutive nature.* 10

The appellant was found guilty of possessing gambling appliances intended to be used for the playing of “Kazandi” and of conducting himself in a manner likely to cause a breach of the peace and was sentenced to concurrent terms of imprisonment of one month, to run consecutively after the completion of another sentence of imprisonment which he was serving at the time. After these sentences had been passed on him he committed, there and then, contempt of Court, by insulting the trial Judge and, as a result, he was sentenced to a further consecutive term of one month’s imprisonment. 15 20

*Upon appeal against sentence:*

*Held*, that in view of the nature of the said two offences and of the extremely bad past criminal record of the appellant, which comprises 113 previous convictions, this Court sees no 25

reason to interfere with the sentences which were imposed on him by the trial Court; that, also, it sees no reason at all to interfere with the sentence passed in respect of the contempt of Court count which, in order to serve its purpose, had to be of consecutive nature; and that, accordingly, the appeal must be dismissed.

*Appeal dismissed.*

**Appeal against sentence.**

Appeal against sentence by Anastasis Panayi Mantis who was convicted on the 23rd March, 1979 at the District Court of Larnaca (Criminal Case No. 994/77) of possessing gambling appliances, contrary to section 6(3) of the Betting Houses, Gaming Houses and Gambling Prevention Law, Cap. 151, of conducting himself in a manner likely to cause a breach of the peace, contrary to section 188(d) of the Criminal Code, Cap. 154 and of contempt of Court, contrary to section 44(1)(a) of the Courts of Justice Law, 1960 (Law 14/60) and was sentenced by Michaelides, Ag. D.J. to concurrent terms of imprisonment of one month, to run consecutively after the completion in July, 1979, of another sentence of imprisonment which he was serving at the time, in respect of the first two offences and to a further consecutive term of one month's imprisonment in respect of the contempt of Court count.

Appellant appeared in person.

A. M. Angelides, Counsel of the Republic, for the respondents.

TRIANTAFYLIDIS P. gave the following judgment of the Court. The accused, having been found guilty of possessing gambling appliances intended to be used for the playing of 'kazandi', contrary to section 6(3) of the Betting Houses, Gaming Houses and Gambling Prevention Law, Cap. 151, and of conducting himself in a manner likely to cause a breach of the peace, contrary to section 188(d) of the Criminal Code, Cap. 154, was sentenced to concurrent terms of imprisonment of one month, to run consecutively after the completion in July 1979, of another sentence of imprisonment which he was serving at the time.

In view of the nature of the aforementioned offences and of the extremely bad past criminal record of the appellant, which comprises 113 previous convictions, we see no reason to inter-

ferre with the sentences which were imposed on him by the trial Court as aforesaid.

After these sentences had been passed on the appellant he committed, there and then, contempt of Court, contrary to section 44(1)(a) of the Courts of Justice Law, 1960 (Law 14/60), by insulting the trial Judge and, as a result, he was sentenced to a further consecutive term of one month's imprisonment; we see no reason at all to interfere with this sentence, which, in order to serve its purpose, had to be of a consecutive nature. 5

This appeal is, therefore, dismissed. 10

*Appeal dismissed.*