

**KAYES COURT OF ASSIZES  
FELONY PROCEEDING**

**JUDGEMENT**

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**No.38/of**

“In the Name of the People of Mali”

**15/06/2015**

**PUBLIC HEARING OF 15 JUNE, 2015**

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CASE:

The Kayes Court of Assizes (Republic of Mali), sitting in the Courtroom of said Town, during its ordinary public hearing of fifteen June two thousand and fifteen, meeting in a felony proceeding and before:

The State, Fodé  
GASSAMA, Tafé  
GASSAMA, Baba  
COULIBALY

**Bougary CISSOKO**:- Trial Judge at the Kayes Court of Appeal :

**PRESIDING JUDGE** ;

**Hamadi TRAORE**, Trial Judge at the Kayes Court of Appeal ;

v.

**Fatoumata SARR**, Judge at the Kayes Labour Court, appointed following an ordinance from the first President;

Mohamed YAMEOGO

**TRIAL JUDGES**:

**TYPE OF  
CASE:**

Messrs Mamadou COULIBALY, Madigara DIABATERE,  
Abdaramane BAH and rata COULIBALY all 4 **Assessors** ;

**MEMBERS** ;

Kidnapping

In the presence of Mr.....

DECISION :

acting as The State; of Kayes

(See Operative Parts)

Assisted by *Maitre Noumou DEMBELE* Registrar at the :  
Kayes High Court ;

**PASSED THE FOLLOWING JUDGEMENT**

IN THE CASE BETWEEN :

The State;

**On one hand** ;

**v** :

**-Mohamed YAMEOGO** : Born on 27 September 1988 in Batora (Republic of Burkina Faso), son of Mathias and Léontine YAMEOGO, Mechanic passing through Kayes, accused, present at the hearing and having as legal counsel **Barrister Towéfo MOUNKORO**, Attorney at the Kayes Court

**On the other hand** ;

Charged with kidnapping, act provided for and punished by articles 240, 241 paragraph 2 of the Penal Code ;

The record of these proceedings shall not jeopardize or be prejudicial in any manner whatsoever to the rights and interests of the parties but on the contrary  
be without prejudice to matters of fact and law;

**THE COURT**

Mindful of decision No. 04 from the decision of the Indictment Chamber of the Kayes Court of Appeal on **13/01/2015** referring before the Kayes Court of Assizes Mohamed YAMEOGO, charged with kidnapping minors ;

MINDFUL of the arrest warrant issued against the abovementioned person and included in the referral order ;

Mindful of the declaration of the Court of Assizes on this day stating by a majority that **Mohamed YAMEOGO** is guilty of the felony of kidnapping minors ;

Mindful of the declaration from this same Court on this day, stating by a majority that there are mitigating circumstances for the accused ;

Whereas the State in its submissions on the application of the penalty for acts considered established by the Court and upheld against the accused;

In accordance with the defence counsel and the accused himself who spoke last in their plea;

**After** deliberating about this case in accordance with the law ;

Whereas the acts considered established by the Court of Assizes against **Mohamed YAMEOGO** charged with kidnapping minors are provided for and punished by articles **240 and 241 paragraph 2 of the penal code** :

Mindful of the provisions of the said articles together with articles 18 of the Penal Code, 342, 631 of the Criminal Procedure Code , 727 et seq. of the Civil, Commercial and Social Procedure Code; which read as follows; (Read out) ;

Pursuant to these aforementioned and transcribed legal provisions;

**SENTENCES** :

**Mohamed YAMEOGO** to two (02) years in prison and a residency prohibition of ten years.

Also orders him to pay the costs under this decision :

Spells out the minimum duration of imprisonment for non-payment .

It is therefore ordered, adjudged and decreed publicly by the Court of Assizes on the days, month and year herein above ;

**SIGNED BY THE PRESIDENT AND THE COURT REGISTRAR.**

**E= 3000 + TF = 1500 = 4 500 F**

Approved for Stamp and Registration

Kayes, on 01 /07/2015

25-08-2016

V61 14 fol 50

No.665 form 237

Fee : four thousand five hundred

Registration Inspector

Kayes, on 25 August 2016  
**CHIEF COURT REGISTRAR**