



REPUBLIC OF SOUTH AFRICA

**SCC RECOMMENDATIONS –
COURT CASES AND MATTERS**

as at September 2023

SCC RECOMMENDATIONS – COURT CASES AND MATTERS

NPA Investigating Directorate Cases in Court

NO.	CASE NAME	CASE REF. NUMBER	RECOMMENDATION UI	NAMES OF ACCUSED PERSONS IN COURT	STATUS / UPDATE
1	Transnet Transaction Advisory Contract (Fraud, Theft, Money Laundering and PFMA)	JHB Central CAS 465/10/2019	ZCR0057 ZCR0081 ZCR0083 ZCR0084 ZCR0085 ZCR0086 <i>Part 2, Vol 1 (Page 171 – 495)</i>	1. Kubentheran Moodley 2. Albatime (Pty) Ltd 3. Eric Wood 4. Siyabonga Gama 5. Garry Pita 6. Daniel Roy 7. Phetolo Ramosebudi 8. Magandheran "Niven" Pillay 9. Litha Mveliso Nyhonhya 10. Regiments Capital (Pty) Ltd 11. Brian Molefe 12. Anoj Singh 13. Salim Essa 14. Ashok Narayan 15. Vikas Sagar 16. McKinsey And Company 17. Trillian Asset Management (Pty) Ltd 18. Trillian Capital Partners (Pty) Ltd <i>18 accused - 13 natural persons, 5 juristic</i>	On 29 June 2023, the matter was provisionally postponed to 28 September 2023 for study of the disclosed docket material, and state to address further disclosure request. On 28 September 2023, the matter was provisionally postponed to 08 December 2023 for the defense to finalise representations, and the state to determine how long it will take to address them. Provisional asset recovery granted, Albatime / Moodley = R232 000 000 and Regiments = R1 108 000 000
2	Bosasa – Main (Fraud and Corruption)	Sandton CAS 302/12/2018 PTA Central CAS 1556/2/2012	ZCR0111 ZCR0112 ZCR0113 ZCR0115 ZCR0119 ZCR0121 ZCR0122 ZCR0143 <i>Part 3, Vol 2 (Page 362 – 925)</i>	1. Angelo Agrizzi 2. Linda Morris Mti 3. Patrick O Connel Gillingham 4. Andries Johannes Van Tonder <i>4 accused – all natural persons</i>	The next court date is 28 September 2023 for possible separation of cases and judgement on whether Agrizzi is fit stand trial. The matter was postponed to 31 October 2023 for the results of Agrizzi's mental fitness test.
3	Bosasa - Vincent Smith (Fraud and Corruption)	Sandton CAS 302/12/2018	ZCR0127 ZCR0309 <i>Part 3, Vol 2 (Page 362 – 925)</i>	1. Vincent Smith <i>1 Accused – natural person</i>	The next court date is 12 October 2023 for disclosure of cashflows. Provisional asset recovery granted, Vincent Smith
4	Bosasa - Desmond Nair (Fraud and Corruption)	Silverton CAS 121/02/2019	ZCR0106 <i>Part 3, Vol 2 (Page 362 – 925)</i>	Desmond Nair <i>1 Accused – natural person</i>	The matter has been postponed to 30 November 2023 for representation by defense.

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NPA Investigating Directorate Cases in Court

NO.	CASE NAME	CASE REF. NUMBER	RECOMMENDATION UI	NAMES OF ACCUSED PERSONS IN COURT	STATUS / UPDATE
5	Estina (Fraud, Corruption, Money Laundering, PFMA)	Parkroad CAS 200/07/2017 Parktown CAS 971/02/21	ZCR0288 ZCR0305 ZCR0307 <i>Part 6, Vol 1 (Page 90 – 201)</i>	1. Mbana Peter Thabethe 2. Seipaiti Silvia Dhlamini 3. Takisi Jankie Masiteng 4. Kamal Vasram 5. Estina (Pty) Ltd 6. Mosebenzi Zwane 7. Ronica Ragavan 8. Ugeshni Naidoo (Née Govender) 9. Sahara Computers (Pty) Ltd 10. Aerohaven Trading (Pty) Ltd 11. Oakbay Investments (Pty) Ltd 12. Linkway Trading (Pty) Ltd 13. Islandsite Investments 180 (Pty) Ltd 14. Westdown Investments (Pty) Ltd 15. Mabengela Investments (Pty) Ltd 16. Confident Concept (Pty) Ltd <i>16 accused - 7 natural persons, 9 juristic persons</i>	On 29 August 2023, the case was postponed to 05 August 2024 - 13 September 2024 for pre-trial and further case management.
6	State Security Agency (SSA) (Fraud, Corruption, Money Laundering, PFMA)	Lyttelton CAS 182/11/2022	ZCR0241 (prev ZCR0242) <i>Part 6, Vol 1 (Page 90 – 201)</i>	1. Name withheld 2. Name withheld 2 accused (all natural persons)	On 20 July 2023, the matter was transferred to the high court. The next court date is 8 November 2023 .
7	Bosasa – Dudu Myeni	Richards bay CAS 174/02/2019 Enq no 23/09/2022	ZCR0137 <i>Part 3, Vol 4 (p911 par2162 – 2164)</i>	1) Dudu Myeni 2) Trevor Mathenjwa <i>2 accused (all natural persons)</i>	The matter was enrolled on 29 September 2023, and it is postponed to 17 November 2023 for centralisation and disclosure of the docket.

SCC RECOMMENDATIONS – COURT CASES AND MATTERS

NPA SCCU/DPCI Cases

NO.	CASE NAME	CASE REF. NUMBER	RECOMMENDATION UI	NAMES OF ACCUSED PERSONS IN COURT	STATUS / UPDATE
8	Department of Transport and Safety (North West) and SA-Express	MMABA-THO CAS 181/5/2020 Mahikeng High Court CC 07/23	ZCR001 <i>Part 1, Vol 1 (Page 11)</i>	1. Brian Tebogo van Wyk 2. Nothando Dube 3. Siphon Levy Phiri 4. Thabong Baily Mahlakoleng 5. Batsamai Investments Holdings (Pty) Ltd 6. Servilex Investments Holdings CC 7. Lavato Estavao (Pty) Ltd 7 accused (4 natural persons & 3 entities)	In court. Postponed to 29 January 2024 for pre-trial. Trial date reserved for 13 to 24 May 2024
9	Asbestos - Department of Human Settlements (Free State)	Park Road CAS 486/02/2020	13 recommendations ZCR0175 ZCR0176 ZCR0177 ZCR0178 ZCR0179 ZCR0181 ZCR0184 ZCR0185 ZCR0186 ZCR0187 ZCR0190 ZCR0191 ZCR0193 <i>Part 4, Vol 2 (Page 447-451)</i>	1. Nthimotse Mokhesi 2. Mahlomola John Matlakala 3. Pheagane Edwin Sodi 4. Sello Joseph Radebe 5. Abel Kgotso Manyeki 6. Thabane Wiseman Zulu 7. Sarah Matawana Mlamleli 8. Elias Sekgobela Magashule 9. Nozipho Belina Molikoe 10. Thabiso Makepe 11. Albertus Venter 12. BlackHead Consulting (Pty) Ltd 13. Diamond Hill Trading 71 (Pty) Ltd 14. 605 Consulting Solutions (pty)Ltd 15. Mastertrade 232 (Pty) Ltd 16. ORI Group (Pty)Ltd 17. Moroadi Cholota (still to be extradited from USA) <i>17 accused (13 natural persons & 4 entities)</i>	5 April to 23 June 2024 for trial
10	Prasa – Mthimkulu	Hillbrow CAS 566/07/2015	<i>(not a specific recommendation – see Part 5 Vol 2 p851 Para 2191.4 (a) for related recommendation)</i>	Daniel Mthimkulu <i>1 natural person</i>	Ex Prasa head engineer convicted on three counts of charge of fraud related to qualifications. The matter is remanded to 4, 5 and 8 December 2023 for sentencing procedures.
11	Prasa - Mashaba	Hillbrow CAS 189/03/2021	Part 5, Vol 2 (page 701 paragraph 1870)	Auswell Mashaba <i>1 natural person</i>	The matter is remanded to 24 January 2024. Refusal to comply with subpoena of the Commission.

SCC RECOMMENDATIONS – COURT CASES AND MATTERS

Finalised Cases/Recommendations

NO.	CASE NAME	CASE REF. NUMBER	RECOMMENDATION UI	STATUS / UPDATE
1	Free State Housing Project - Moses Mpho Mokoena	Park Road CAS 1158/11/2021	ZCR0191 <i>Part 4 Vol 2 (p545, para 1218)</i>	<p>Synopsis of the case: Prosecution by the National Prosecuting Authority of Mr Moses Mpho Mokoena who was the Head of the Department of Human Settlements in Free State in 2010 and early in 2011 for contravention of the Public Finance Management Act, 1 of the 1999 as amended and contravention of Section 34 of the Prevention and Combating of Corrupt Activities Act, 12 of 2004 (PRECCA).</p> <p>Outcome: The accused was convicted on one count for contravention of the PFMA and one count for contravention of section 34 of PRECCA. He was sentenced to 10 years imprisonment suspended for five years on count 1 and 5 years imprisonment suspended for 5 years on count 2.</p>
2	Disclosure of Witness X identity by Ms. Duduzile Myeni	Hillbrow CAS 571/11/2020	ZCR004 <i>Part 1, Vol 1 (page 437) also Part 6 Vol 4 (page 2)</i>	<p>Synopsis of the case: Prosecution of Ms Myeni for her disclosure of Mr X's identity during her testimony in the State Capture Commission.</p> <p>Outcome: The accused was convicted and sentenced to pay a fine of one hundred and twenty thousand rands or two years imprisonment, half of which was suspended for five years.</p>