



Geliewe in u Antwoord te verwys na

In Reply Please Quote

No. 17/33/4/5 & 8

UNIE VAN SUID-AFRIKA.—UNION OF SOUTH AFRICA.
KANTOOR VAN DIE—OFFICE OF THE

MAGISTRATE,

WYNBERG, Cape.

29th March, 1963.

Messrs Frank, Bernadt & Joffe,
P.O. Box 252,
CAPE TOWN.

Gentlemen,

THE STATE VS REGINALD KENNETH SEPTEMBER AND
RISSIK HARIBHAI DESAI.

Your letter JTG/BS dated 15th March, 1963 in connection with the above persons, refers.

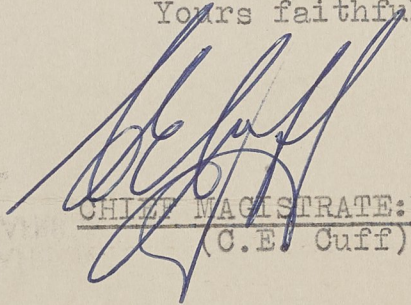
Permission is hereby granted to Mr. Desai and Mr. September to attend at your office and at the office of their Counsel, Adv. A.L. Sachs, for necessary consultation in connection with the cases pending against them but only on condition that they do not communicate with one another.

Permission is also granted to them to attend Court on the 2nd and 4th April, 1963 and on the dates to which their present cases are remanded.

Both of them must report to the Officer in charge of the Security Police at Cape Town on the days they attend the offices mentioned for consultation and also on all the days on which they are required to attend Court as accused in the cases mentioned herein.

It is a specific instruction to me that the restrictions may not be altered to allow Mr. Desai to come into contact with any person named in the list in the custody of the officer named by Section 8 of Act 44 of 1950 or any person who is subjected to a restriction under Act 17 of 1956.

Yours faithfully,


CHIEF MAGISTRATE: WYNBERG.
(C.E. Cuff)

With the Compliments
of
Frank, Bernadt & Loffe
Attorneys, Notaries & Conveyancers

Netherlands Bank Building,
85, St. George's Street,
Cape Town.

P.O. Box 252, Cape Town.
Phones 2-1556, 2-1557, 2-1558.

Telegramadres: „LANDDROS.”
Telegraphic Address: “MAGISTRATE.”



J. 424.

Geliewe in u antwoord te verwys na
In reply please quote

5/5/2/7

No.....

REPUBLIEK VAN SUID-AFRIKA.—REPUBLIC OF SOUTH AFRICA.

LANDDROSKANTOOR,
MAGISTRATE'S OFFICE,

CAPE TOWN,

30th March, 1963.

Messrs. Frank, Bernadt & Joffe,
Attorneys-at-Law,
P.O. Box 252,
CAPE TOWN.

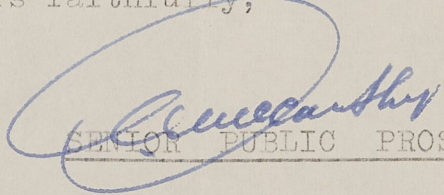
Gentlemen,

re: THE STATE VERSUS R.H. DESAI

In reply to your request HJB/IM for further particulars of the 27th instant, I have pleasure in advising as follows:

- (a) It is unknown to the prosecution whether the particular room is numbered and if it is what the number is.
- (b) It is submitted that it is for the Court to decide from the facts whether there was a common purpose and if so what the nature of it is.

Yours faithfully,


SENIOR PUBLIC PROSECUTOR.

AM/SO

Telegramadres: „LANDDROS.”
Telegraphic Address: “MAGISTRATE.”



Geliewe in u antwoord te verwys na
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No. 5/5/2/7

REPUBLIEK VAN SUID-AFRIKA.—REPUBLIC OF SOUTH AFRICA

LANDDROSKANTOOR,
MAGISTRATE'S OFFICE,

CAPE TOWN,

30th March, 1963.

Messrs. Frank, Bernadt & Joffe,
Attorneys-at-Law,
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CAPE TOWN.

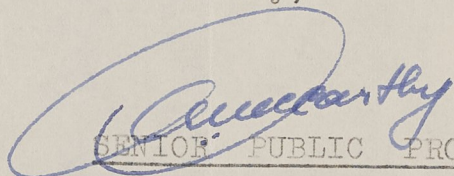
Gentlemen,

re: THE STATE VERSUS R.K. SEPTEMBER

In reply to your request HJB/LM for further particulars of the 27th instant, I have pleasure in advising as follows:

- (a) It is unknown to the prosecution whether the particular room is numbered and if it is what the number is.
- (b) It is submitted that it is for the Court to decide from the facts whether there was a common purpose and if so what the nature of it is.

Yours faithfully,


SENIOR PUBLIC PROSECUTOR.

AM/SO

IN THE REGIONAL COURT FOR THE MAGISTERIAL DISTRICT OF WYNBERG
HELD AT CAPE TOWN.

In the matter between :-

THE STATE

versus

RISSIK HARIBHAI DESAI.

NOTICE OF APPLICATIONS.

BE PLEASED TO TAKE NOTICE that at the hearing of the abovementioned matter and before Plea, application will be made for an order directing the prosecution to furnish the following further particulars :-

Full particulars of the common purpose alleged.

BE PLEASED TO TAKE NOTICE FURTHER that if the said particulars be not supplied, application will be made to quash the charge on the grounds that it is vague and embarrassing for lack of particularity, more especially because it fails to provide particulars of the common purpose of the alleged gathering.

Dated at Cape Town this 1st day of April, 1963.

Frank, Bernadt & Joffe,

per:

[Signature]
Attorneys for the Accused,
85 St. George's Street,
Cape Town.

To :
The Clerk of the Criminal Court,
Regional Court,
Cape Town.

And to:
The Regional Court Prosecutor,
Magistrates' Court,
Cape Town.

COPY

HJB/LM.

For att : Mr. McCarthy.

30th April, 1963.

The Public Prosecutor,
Regional Court,
CAPE TOWN.

Dear Sir,

re: THE STATE -vs- REGINALD KENNETH SEPTEMBER.

As you are aware we act for the above accused whose case was remanded to the 7th May, 1963 in the Regional Court.

We understand from Counsel acting in the case of the State versus R.H. Desai that the two cases i.e. Desai's and September's, are based on identical facts and that the case against September will not be heard until the conclusion of the case against Desai.

The Counsel originally briefed to appear for September has been prevented by ministerial order from communicating with the said accused, September, and it will therefore be necessary for some other Counsel to be briefed therein.

In order to save the defence from having to brief a new Counsel at this stage we shall be glad if you could confirm as soon as possible that the case against September, which we understand will be remanded by the prosecution, *on the 7th*, will in fact not be heard at all pending the outcome of the case against Desai.

Yours faithfully,
FRANK, BERNADT & JOFFE,

per:

H.J. BROWN.

Adv. A.L. Sachs

Copy for your information

[Signature]

Telegramadres: „LANDDROS.”
Telegraphic Address: “MAGISTRATE.”



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REPUBLIEK VAN SUID-AFRIKA.—REPUBLIC OF SOUTH AFRICA

LANDDROSKANTOOR,
MAGISTRATE'S OFFICE,

CAPE TOWN,

27th April, 1963.

Messrs. Frank, Bernadt & Joffe,
Attorneys-at-Law,
P.O. Box 252,
CAPE TOWN.

Gentlemen,

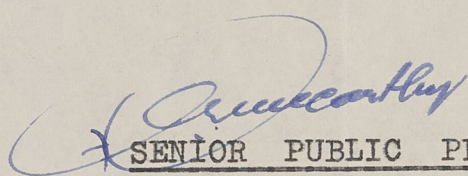
re: THE STATE VERSUS RISSIK HARIBHAI DESAI.

Kindly note that on 7th May, 1963, the State will apply for an amendment to the Further Particulars which were supplied on 2nd April, 1963.

The amended particulars read as follows:

"That the accused gathered with members of the Coloured Peoples Congress or other persons whose purpose was the furthering of the political interests of the Coloured Peoples Congress."

Yours faithfully,


SENIOR PUBLIC PROSECUTOR.

AM/SO