

DEMETRIS MICHAEL KONTOS,

*Appellant,*

v.

THE REPUBLIC,

*Respondent.*

DEMETRIS  
MICHAEL  
KONTOS  
v.  
THE REPUBLIC

(*Criminal Appeal No. 2801*)

*Criminal Law—Sentence—Appeal—Sentence of six years' imprisonment for grievous harm, contrary to section 231 of the Criminal Code, Cap. 154—Appealed against on the ground that it is excessive—No ground for reducing sentence—Appellant unbalanced with similar previous convictions—Recommended to be mentally examined—Appeal dismissed.*

The appellant appealed against the sentence of six years' imprisonment imposed on him by the Assize Court of Nicosia for the offence of grievous harm, contrary to section 231 of the Criminal Code, Cap. 154, on the ground that the sentence was excessive. The record showed that the appellant had a heavy list of similar previous convictions\* and that he was mentally unbalanced.

The Court of Appeal held that there was no ground for reducing his sentence, dismissed the appeal and recommended that the appellant be examined mentally.

*Appeal dismissed. Sentence to run from the date of conviction.*

**Appeal against sentence.**

Appeal against the sentence imposed on the appellant who was convicted on the 19.10.65, at the Assize Court of Nicosia (Criminal Case No. 8195/65) on one count of the offence of grievous harm, contrary to section 231 of the Criminal Code, Cap. 154 and was sentenced by Dervish, P.D.C., Georghiou and Mavrommatis, D.JJ. to six years' imprisonment.

Appellant in person.

*A. Frangos*, counsel of the Republic, for the respondent.

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\* The previous convictions of the appellant appear at the end of the judgment at p. 116 post.

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The judgment of the Court was delivered by :

ZEKIA, P. : We have heard what you had to say about your case for reducing your sentence, but the only thing in your favour is that you are an unbalanced man. Due to the behaviour and conduct of your wife, it appears that you got angry with her and you wanted to do away with her. Anyhow, using a hatchet on her head and shoulder twice has no other meaning other than killing her. Therefore, we do not find any ground for reducing your sentence, but we have already recommended that you will be examined mentally by a doctor. That might help you a lot. If you were out now, in the present condition, you might become again very dangerous to the members of your family and public.

The appeal is dismissed. The sentence to run from the date of conviction.

*Order accordingly.*

**Previous Convictions :**

1.	30. 9.1935	Drunk and assaulting police.	4 weeks' imprisonment.
2.	30. 6.1936	Assault	4 months' imprisonment.
3.	15. 2.1945	Causing bodily harm.	B.O. for two years to come up for judgment.
4.	1. 9.1945	Wounding.	1 month imprisonment.
5.	2. 4.1948	Assault occasioning actual bodily harm.	£2.10.0 fine.
6.	20. 1.1949	Attempt to stab	£5 fine
7.	9.12.1952	Assault.	B.O. for two years to come up for judgment.
8.	7.11.1955	Assault occasioning actual bodily harm	£1 1.0 fine.
9.	11. 2.1961	Assault occasioning actual bodily harm.	15 days' imprisonment.
10.	6.11.1961	Aggravated assault.	3 months' imprisonment.
11.	3. 7.1964	Assault causing actual bodily harm.	£10 fine.