

SUPREME COURT OF SEYCHELLES

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**Reportable**

MC 03/2026

In the matter between:

**THE REPUBLIC**

*(Represented by Mrs Anissa Hermitte)*

**Applicant**

and

**RICHARD KEVIN PELISSIER**

**Of**

**Hangard Street, Mahe**

**Seychelles**

*(Absent/Unrepresented)*

**Respondent**

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**Neutral Citation:** *The Republic vs Pelissier* (MC 03/2026) (10 March 2026)

**Before:** Adeline J

**Summary:** Continued detention of cash seized beyond the 14 days prescriptive period – Section 74 (3) (a) and (b) and Section 74 (4) of the AMLCFT Act.

**Heard:** 10 March 2026

**Delivered:** 10 March 2026

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**ORDER ON MOTION**

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**Adeline, J**

- [1] This matter, concerns an application by the Republic, (“the Applicant”) for continued detention of cash made by way of notice of motion supported by an affidavit deposed by one police constable Lina William of the Financial Crime Investigation Unit (“FCIU”) of the Seychelles Police Force against one Richard Kevin Pelissier. By this application, the Applicant, as a matter of urgency, applies to this court for the following orders;

“1...

2. An order pursuant to Section 74 (3) of the Anti-Money Laundering and Countering the Financing of Terrorism Act (“AMLCFT Act”) authorising the continued detention of cash seized from the Respondent on the 28<sup>th</sup> January 2026 pursuant to Section 74 (2) of the said AMLCFT Act for a period not exceeding 60 days.

3. For an order providing for Notice of any such order to be given to the Respondent or any other person directed by the court, and

4. Such further or other order as the court shall deem just and proper”.

[2] The Applicant pleads the grounds for seeking for the orders to be the following;

*“I. That on Wednesday 28<sup>th</sup> January 2026, a search on the Respondent and cash above the threshold was found in the Respondent’s possession.*

*II. That the cash amounting to USD 8252 and AED 650 and SCR 6275 which is equivalent to SCR 132,418.082 when converted using SRC exchange rate dated 28/1/2026 which is USD 1 = SCR 14.96 and AED 1 = SCR 4.10, was above the threshold of declaration of SCR 50,000 or equivalent and the same cash was undeclared by the subject.*

*III. That during questioning, the Respondent acknowledged that it was his mistake for not declaring and he provided unsatisfactory money exchange receipts which date back to 2024 as explanation to the cash which when take into consideration he could not provide anything from his family at the time as he said the business is for the family.*

*IV. That the court on the 10<sup>th</sup> February 2026 gave an order for the further holding of the seized money for a period of 30 days.*

*V. That, despite the 30 days awarded by the court, further checks are still ongoing and FCIU requires time to properly investigate the source of the funds and any possible ties to the criminal conduct.*

*VI. That the investigation by the FCIU is still on-going and as per Section 74 (3) of the same Act, the FCIU requires a court order to continue detaining the cash seized”.*

[3] In his affidavit in support of the Application for the continued detention of the cash seized from the Respondent on the 28<sup>th</sup> January 2026, Police Constable (“PC”) Lina William deposed as follows;

*“5. That on the 28<sup>th</sup> January 2026 PC Juliette Morel and PC Isabelle Rachel were informed by sub-inspector Benstrong and Sgt Perreau c/o FCIU that they have received credible information from Airport Customs Officer that a visitor was leaving Seychelles with funds above the threshold.*

*6. That FCIU officers namely, PC Morel and PC Rachel arrived at the Seychelles International Airport at 2020 hrs. At around 2050 hrs, observation was conducted at the airport check-in terminal where one Saul Azemia (D.O.B 02<sup>nd</sup> September 1982) was identified along with his girlfriend namely Arlette, and child, who accompanied him. I beg to refer to copy of the statement of officers, marked as LW1 and LW2.*

*7. That I have reasonable grounds for suspecting that the cash seized namely, USD 8252, AED 650 and SCR 6275 which is equivalent to SCR 132,418.082 when converted USD SCR exchange rate, dated 28/1/2026 which is USD 1 = SCR 14.96 and AED 1 = SCR 4.10 represents proceeds of crime or is intended to be used in connection with criminal conduct, namely money-laundering. I beg to refer to photographs of the seized cash and copy of SRC Exchange Rate, marked as LW3 and LW4.*

*8. That all cash found on the Respondent was seized by custom officers for failure to declare the cash. The Respondent was allowed to continue with his departure but chose to remain in the country, stating that he could not depart as all his cash had been seized by customs. I beg to refer to the statement of custom officer Valencia Albert marked as LW5.*

*9. That on the 03<sup>rd</sup> February 2026 Respondent brought a statement at the FCIU office whereby he stated he incorrectly filled out his Traversory platform. I beg to refer to copy of documents brought by the Respondent marked as LW6.*

*10. That same day, customs officer Nadirah Denis proceeded to verify the Traversory declaration platform on the computer used by custom officers, which was confirmed to have been conducted by Valencia Albert, in our presence and in the presence of other*

*custom officers. Upon physical verification, cash USD, AED and SCR dominations was found.*

*11. That on the 03/02/2026 I cautioned the Respondent and he gave a written under-caution statement whereby he stated he was going on a business trip but that it was his fault for not declaring the cash. The Respondent further stated he does not know the other guy, being Saul Azemia, which he stated he does not have any affiliation with. I beg to refer to the statement under caution of Respondent.*

*12. That on the 04/02/2026 I collected the cash from the custom officer at the Seychelles International Airport. Same was received from Ms Jenila Bonnelame in the presence of PC Annie William-Fondaumiere, photographed and placed in a clear plastic evidence envelope marked as CB 02/02/2026. I beg to refer to copy of cash handling over form from SRC customs, marked as LW8”.*

[4] PC Williams avers, that the activities undertaken so far as part of the FCIU investigation are that;

- (i) *The exhibits have been brought to the FCIU to be kept in safe custody*
- (ii) *The exhibits have been photographed*
- (iii) *A statement under caution has been obtained from the Respondent, in which, statement, other suspects who are yet to be interviewed are mentioned, and*
- (iv) *Reports made to other entities for information and documents pertaining to the Respondent’s financial transactions.*

[5] PC William also avers that, addition time is needed to ascertain the source of the cash seized given that there are outstanding responses from different entities. The information needed, include the following;

- (i) *The original declaration form from the Respondent*

- (ii) To require the Scientific Support and Crime Record Bureau (SS&CRB) to confirm whether the Respondent is known to them and is in their data base, as well to provide all the relevant details.
  - (iii) To require the Organised Crime Unit to confirm whether the suspect is in their data base.
  - (iv) To require the Immigration and Civil Status Authority to provide the travel history of the Respondent.
  - (v) To obtain the relevant statements from the FCIU officers.
  - (vi) To interview family members who are business partners, and
  - (vii) Warrants to be served on relevant banking institutions for accounts details of the Respondent for further analysis.
- [6] It is further averred by PC William that following receipt of these responses, further interviews need to be carried out and other formalities concluded to complete the investigation.
- [7] PC William avers that, that the cash detained beyond 14 days is justified while its origin or derivation is further investigated and consideration is given for the institution of criminal proceedings against the Respondent for an offence with which the cash is connected.
- [8] I have carefully read the supporting affidavit to the motion deposed by PC William enlightening me on the factual background for pursuing this application. I am persuaded, that on account of the uncontroverted affidavit evidence of PC William, that there are reasonable ground for suspecting that the cash seized from the Respondent at the Seychelles International Airport on the 28<sup>th</sup> January 2026, represents proceeds of crime or is intended to be used in connection with criminal conduct, namely, money-laundering.
- [9] I am equally persuaded, that further detention of the cash seized beyond the 14 days prescriptive period while its origin or derivation is further investigated, or consideration is

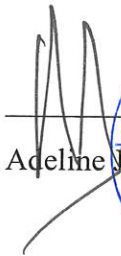
given to the institution of criminal proceedings against the Respondent for an offence with which the cash is connected is necessary.

[10] Therefore, for the reasons stated in the preceding paragraphs of this order, and in accordance with the provisions of Section 74 (3) (a) and (b) as well as Section 74 (4) of the AMLCFT Act, I hereby authorise the continued detention of the cash, USD 8252, AED 650 and SCR 6275 which is equivalent to SCR 132,418.082 seized from the Respondent on the 28<sup>th</sup> January 2026 at the Seychelles International Airport for a period further of 30 days as of the 11<sup>th</sup> March 2026.

[11] A copy of this order shall be served on the Applicant.

[12] A copy of this order shall be served on the Respondent.

Signed, dated and delivered at Ile du Port 10<sup>th</sup> March 2026.

  
Adeline  
