

Public Prosecutor v Lee Wee Cheng
[2000] SGHC 249

Case Number : CC 72/2000
Decision Date : 24 November 2000
Tribunal/Court : High Court
Coram : Amarjeet Singh JC
Counsel Name(s) : Thong Chee Kun (Attorney-General's Chambers) for the prosecution; Tan Teow Yeow (Briefed) for the accused
Parties : Public Prosecutor — Lee Wee Cheng

JUDGMENT:

Oral Judgment

Charge

1. The Accused was charged and tried on the following amended charge:-

You, LEE WEE CHENG

are charged that you on the 7th day of June 2000, between 12 a.m. and 4.55 a.m. at Blk 668-C, Jurong West ST 64 #15-144, Singapore, did commit culpable homicide not amounting to murder, by causing the death of one Lee Luan Ku (male/68 years), to wit, by punching his head and kicking his body, which act was done with the intention of causing such bodily injury as was likely to cause death and you have thereby committed an offence punishable under section 304(a) of the Penal Code, Chapter 224.

1. The Accused killed his own father by kicking and punching him violently for reprimanding him for sniffing glue in the toilet of his house. The Accused had earlier consumed a fair amount of alcohol. The prosecution in its facts conceded that there was some evidence that the Accused was to some extent intoxicated with alcohol and as a result of glue sniffing.

2. The Deceased's death resulted from bleeding internally due to multiple chest and abdominal injuries as certified by the Pathologist.

3. It has been drawn to my attention that the Accused has a previous conviction for voluntarily causing grievous hurt by a dangerous weapon in 1981 for which he was sentenced to 12 months imprisonment. Although the offence took place long ago it does appear that the Accused continues to have a residual propensity for violence.

4. The fact that the Accused was to some extent intoxicated by alcohol and as a result of glue sniffing in committing the offence has already been taken into consideration by the prosecution in reducing the charge from murder to culpable homicide not amounting to murder.

5. However in relation to sentencing the Accused on the charge I am of the opinion that drink constitutes an aggravation, as an assault by an aggressor under such influence tends to frighten an average person much more.

6. I accept that the case has some mitigational aspects such as the Accused having called the police some hours later when he saw his father lying unconscious on the floor as well as the remorse he has expressed.

7. Although the Accused will no doubt live in shame and sorrow for the rest of his life for this patricide I have to view both the circumstances of the offence and the relationship of the Accused as a son to the Deceased - and at that an adult - seriously.

8. In the circumstances I sentence the Accused to 9 years imprisonment. The sentence is backdated to 7th June 2000.

Amarjeet Singh

Judicial Commissioner

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