

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

DAC-907576-2024 & ors

Public Prosecutor

Against

Muhammad Syafie Bin Ismail

SENTENCING REMARKS

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PP v Muhammad Syafie Bin Ismail

Public Prosecutor

Against

Muhammad Syafie Bin Ismail

District Court - DAC-907576-2024 & ors

Principal District Judge Toh Han Li

6 August, 7 September 2026

5 October 2026

Principal District Judge Toh Han Li

Introduction

1. These are my sentencing remarks which may be supplemented if required.
2. The Accused has pleaded guilty to the following three charges:

1st charge (amended) (“Dangerous driving causing death charge”)

You...are charged that you, on 22 April 2024, at about 7.06am, at the signalised cross junction (the “Junction”) of Bedok Reservoir Road, Tampines Avenue 1 and Tampines Avenue 4, Singapore, did drive a motor vehicle, namely, the motor car bearing vehicle registration number SLD1505R (the “Accused’s Car”), on a road in a manner which

was dangerous to the public, *to wit*, by failing to stop at the red traffic light at the Junction despite the said traffic light signal having been red for at least 26 seconds when you beat it, and by driving straight into the Junction at a speed of at least 129km/h, which was significantly above the speed limit of 50km/h for the said road, even though vehicles which had the right of way were travelling from your right to left and left to right at the Junction, and the Accused's Car thereby drove into and through the motor car bearing vehicle registration number [.] ("Vehicle 1") and caused Vehicle 1 to collide with the motor van bearing vehicle registration number GY2475K ("Vehicle 4"), and thereby caused V2's death and Ms Norzihan Binte Juwahib's death, and you have thereby committed an offence under section 64(1) of the Road Traffic Act 1961 (the "RTA") and punishable under sections 64(2)(a) and 64(2D)(a) of the RTA.

5th charge (amended) ("Dangerous driving causing grievous hurt charge")

You...are charged that you, on 22 April 2024, at about 7.06am, at the signalised cross junction (the "Junction") of Bedok Reservoir Road, Tampines Avenue 1 and Tampines Avenue 4, Singapore, did drive a motor vehicle, namely, the motor car bearing vehicle registration number SLD1505R (the "Accused's Car"), on a road in a manner which was dangerous to the public, *to wit*, by failing to stop at the red traffic light at the Junction despite the said traffic light signal having been red for at least 26 seconds when you beat it, and by driving straight into the Junction at a speed of at least 129km/h, which was significantly above the speed limit of 50km/h for the said road, even though vehicles which

had the right of way were travelling from your right to left and left to right at the Junction, and the Accused's Car thereby drove into and through the motor car bearing vehicle registration number [.] ("Vehicle 1"), collided with the motor car bearing vehicle registration number [.] ("Vehicle 2") and caused Vehicle 1 to collide with the motor van bearing vehicle registration number GY2475K ("Vehicle 4"), and thereby caused grievous hurt to:

- (a) V1, who, *inter alia*, sustained left 4th-8th (anterolateral) and 10th-11th (posterior) rib fractures, right 3rd to 5th (anterior) rib fractures, T11 to L3 left transverse process fractures, and T5-T6 and L4-L5 right transverse process fractures;
- (b) V3, who, *inter alia*, suffered severe bodily pain for more than 20 days; and
- (c) Mr Chia Tong Chai, who, *inter alia*, sustained an avulsion fracture of greater tuberosity of right humerus,

and you have thereby committed an offence under section 64(1) of the Road Traffic Act 1961 (the "RTA") and punishable under sections 64(2A)(a) and 64(2D)(d) of the RTA.

2nd charge (amended) ("Dangerous driving causing hurt charge")

You...are charged that you, on 22 April 2024, at about 7.06am, at the signalised cross junction (the "Junction") of Bedok Reservoir Road, Tampines Avenue 1 and Tampines Avenue 4, Singapore, did drive a motor vehicle, namely, the motor car bearing vehicle registration

number SLD1505R (the “Accused’s Car”), on a road in a manner which was dangerous to the public, *to wit*, by failing to stop at the red traffic light at the Junction despite the said traffic light signal having been red for at least 26 seconds when you beat it, and by driving straight into the Junction at a speed of at least 129km/h, which was significantly above the speed limit of 50km/h for the said road, even though vehicles which had the right of way were travelling from your right to left and left to right at the Junction, and the Accused’s Car thereby collided with the motor car bearing vehicle registration number [.] (“Vehicle 2”) and the motor car bearing vehicle registration number [.] (“Vehicle 3”) and caused the motor car bearing vehicle registration number [.] (“Vehicle 1”) to collide with the motor van bearing vehicle registration number GY2475K (“Vehicle 4”) and the motor bus bearing vehicle registration number PC5804J (“Vehicle 5”), and thereby caused hurt to:

- (a) V4, who, *inter alia*, sustained lower anterior abdominal wall abrasions, a right lateral abdominal wall abrasion and a right flank superficial abrasion;
- (b) V5, who sustained a neck sprain;
- (c) Mr Mohammed Azman Bin Mohd Enjah, who sustained a neck sprain;
- (d) Ms Toh Sock Koon, who, *inter alia*, suffered bodily pain in her chest; and
- (e) V6, who sustained a head injury with a right fronto-temporal laceration and right middle and ring finger superficial abrasions,

and you have thereby committed an offence under section 64(1) of the Road Traffic Act 1961 (the “RTA”) and punishable under section 64(2B)(a) of the RTA.

3. Two charges were taken into consideration for the purposes of sentencing (“TIC charges”) as follows:

3rd charge (amended) (Dangerous driving charge)

You...are charged that you, on 22 April 2024, at about 7.04am, along Bedok Reservoir Road in the direction towards Tampines Avenue 4, Singapore, did drive a motor vehicle, namely, the motor car bearing vehicle registration number SLD1505R (the “Accused’s Car”), on a road in a manner which was dangerous to the public, *to wit*, by accelerating to a speed of at least 122km/h, which was significantly above the speed limit of 50km/h for the said road, and abruptly overtaking the motor car bearing vehicle registration number [.] (“Vehicle 6”) from the right by swerving into Lane 1 before swerving back into Lane 2 in front of Vehicle 6 without activating your left or right turn signal indicators to signal your lane change from Lane 2 to Lane 1 and from Lane 1 back to Lane 2, and the Accused’s Car thereby collided with the front right side of Vehicle 6 and came very close to colliding with a motorcyclist who was riding a motorcycle on Lane 1, and you have thereby committed an offence under section 64(1) of the Road Traffic Act 1961 (the “RTA”) and punishable under section 64(2C)(a) of the RTA.

4th charge (amended) (Failure to stop in case of accident charge)

You... are charged that you, on 22 April 2024, at about 7.04am, along Bedok Reservoir Road in the direction towards Tampines Avenue 4, Singapore, being the driver of a motor vehicle, namely, the motor car bearing vehicle registration number SLD1505R (the “Accused’s Car”), which was involved in an accident owing to the presence of the said motor vehicle on a road and which accident resulted in damage to a vehicle, namely, the motor car bearing vehicle registration number [.] (“Vehicle 6”), failed to stop the Accused’s Car and failed to provide your particulars to the driver of Vehicle 6 at the scene of the accident, and you have thereby failed to comply with section 84(1)(a) of the Road Traffic Act 1961 (the “RTA”), which is an offence under section 84(7) of the RTA and punishable under section 131(2)(a) of the RTA.

The victims and the vehicles involved

4. The ten victims are (there is a gag order in place against identification of the young victims/passengers and their family members):

(a) Mr [.] (“V1”), a then 48-year-old male born on [..]. V1 was the driver of the motor car bearing vehicle registration number [.] (“Vehicle 1”) at the material time.

(b) Ms [.] (“V2”), a then 17-year-old female born on [..]. V2, who was V1’s daughter and a Junior College student, was seated in the right rear passenger seat of Vehicle 1 at the material time.

(c) Ms [.] (“V3”), a then 42-year-old female born on [..]. V3 was the driver of the motor car bearing vehicle registration number [..] (“Vehicle 2”) at the material time.

(d) Mr [.] (“V4”), a then 11-year-old male born on [..]. V4, who was V3’s son and a primary school student, was seated in the front passenger seat of Vehicle 2 at the material time.

(e) Mr [.] (“V5”), a then 43-year-old male born on [..]. V5 was the driver of the motor car bearing vehicle registration number [..] (“Vehicle 3”) at the material time.

(f) Mr Chia Tong Chai (“Mr Chia”), a then 64-year-old male born on 21 September 1959. Mr Chia was the driver of the motor van bearing vehicle registration number GY2475K (“Vehicle 4”) at the material time.

(g) Mr Mohammed Azman Bin Mohd Enjah (“Mr Azman”), a then 39-year-old male born on 11 December 1984. Mr Azman, who was Mr Chia’s colleague, was seated in the front passenger seat of Vehicle 4 at the material time.

(h) Ms Norzihan Binte Juwahib (“Ms Norzihan”), a then 57-year-old female born on 21 November 1966. Ms Norhizan, who was Mr Chia’s colleague, was seated on a sofa which was bolted onto the rear of Vehicle 4 at the material time.

(i) Ms Toh Sock Koon (“Ms Toh”), a then 60-year-old female born on 23 November 1963. Ms Toh, who was employed as a school bus driver, was the driver of the motor bus bearing vehicle registration number PC5804J (“Vehicle 5”) at the material time.

(j) Mr [.] (“V6”), a then 11-year-old male born on [..]. V6, who was a primary school student, was seated in the last row of Vehicle 5 at the material time.

5. The witness is [.] (“W1”), a then 49-year-old male born on [..]. W1 was the driver of the motor car bearing vehicle registration number [.] (“Vehicle 6”) at the material time.

The Accused’s manner of driving and the two collisions

6. On 22 April 2024, at about 6.15am, the Accused gave a customer a GrabHitch ride and drove the said customer from Tampines to Bedok, where he dropped off the customer. GrabHitch is a social carpooling service that connects everyday car owners with passengers heading in the same direction, for which passengers pay drivers a fare that is more affordable than a standard Grab ride.

7. At about 7.02am, the Accused was alone in the Accused’s Car and travelling along Lane 2 of Bedok North Avenue 3. At around the same time, W1, who was taking his then 13-year-old daughter to school, was driving behind the Accused in Lane 2. W1 then overtook the Accused by filtering into Lane 1 and then moving in front of the Accused’s Car in Lane 2. This angered the Accused.

8. After W1 overtook the Accused, both vehicles (*ie*, Vehicle 6 and the Accused's Car), subsequently came to a stop at a red traffic light along Bedok North Avenue 3. The Accused's Car stopped directly behind Vehicle 6.

9. At about 7.04am, after the traffic light signal turned green, W1 and the Accused each executed a right turn into Bedok Reservoir Road in the direction towards Tampines Avenue 4. The speed limit on this road was 50km/h. The Accused continued to travel behind W1 for about a minute on the leftmost lane along Bedok Reservoir Road.

10. The Accused then accelerated and abruptly overtook W1 from the right by swerving into Lane 1 before swerving back into Lane 2 in front of W1. The Accused did not activate his left or right turn signal indicators to signal his lane change from Lane 2 to Lane 1 and from Lane 1 back to Lane 2. During this dangerous overtaking manoeuvre, the rear left side of the Accused's Car collided with the front right side of Vehicle 6 (the "First Collision"). The impact caused Vehicle 6 to veer left, scraping its front left and rear left tyres against the kerb. During this dangerous overtaking manoeuvre, the Accused's Car also came very close to colliding with a motorcyclist who was riding a motorcycle on Lane 1.

11. Despite colliding with Vehicle 6 and feeling the impact on the rear left side of the Accused's Car, the Accused did not stop the Accused's Car. Instead, after overtaking W1, the Accused accelerated away from the scene of the First Collision by further picking up speed and continued to travel straight ahead along Bedok Reservoir Road for approximately 165 metres.

12. At about 7.06am, the Accused failed to stop at the red traffic light, which signalled that vehicles traveling along Bedok Reservoir Road in the direction towards Tampines Avenue 4 (such as the Accused) had to stop, and drove straight into the Junction at an estimated speed of between 129km/h and 134 km/h, which was significantly above the speed limit of 50km/h. The Accused drove straight into the Junction even though vehicles were travelling from his right to left and left to right at the Junction. As captured on the footage recorded by another vehicle's in-car camera¹, the said traffic light signal was red for at least 26 seconds when the Accused beat the red light and drove straight into the Junction. The said footage also showed that a lorry that was traveling along Bedok Reservoir Road in the direction towards Tampines Avenue 4 had stopped in response to that red traffic light signal, just as the Accused should have done, for at least 26 seconds when the Accused beat the red light and drove straight into the Junction.

13. As a result, the Accused's Car collided with Vehicles 1, 2 and 3 and caused a chain collision involving Vehicles 4 and 5 (collectively, the "Second Collision") in the following manner:

- (a) The Accused's Car drove into and through Vehicle 1, causing Vehicle 1 to spin, flip and overturn.
- (b) The Accused's Car then collided with Vehicle 2, causing Vehicle 2 to spin.
- (c) The Accused's Car then collided with Vehicle 3, causing Vehicle 3 to mount a kerb and crash into a lamppost.

¹ Annex E to the Statement of Facts

- (d) The force of the initial collision with Vehicle 1 caused a chain collision involving Vehicles 4 and 5 in the following manner:
 - i. Vehicle 1, which was propelled into a spin, collided with Vehicle 4, causing Vehicle 4 to spin.
 - ii. Vehicle 1 then collided with Vehicle 5.

14. Vehicles 1 to 5 had the right of way at the material time:

- (a) Vehicle 1 was travelling straight along Tampines Avenue 1 towards Tampines Avenue 10, from the accused's right to left, and had the right of way as the traffic light signal was green in its favour.
- (b) Vehicles 2, 4 and 5 were travelling straight along Tampines Avenue 1 towards Tampines Avenue 2, from the accused's left to right, and had the right of way as the traffic light signal was green in their favour.
- (c) Vehicle 3 was travelling along Tampines Avenue 1 towards Tampines Avenue 2, from the accused's left to right, and in the midst of making a left turn into Tampines Avenue 4 and had the right of way as the traffic light signal was green in its favour.

15. The Report of Senior Forensic Scientist Lee Rui Lin of the Health Sciences Authority stated as follows²:

- a. The estimated speed of the Accused's Car from S1 to S2 (*ie*, when it was behind Vehicle 6 and just before the Accused commenced the dangerous overtaking manoeuvre) was between

² Annex I to the Statement of Facts

99km/h and 104km/h. This was significantly above the speed limit for Bedok Reservoir Road in the direction towards Tampines Avenue 4, which was 50km/h.

b. The estimated speed of the Accused's Car from S2 to S3, S3 to S4 and S4 to S5 (*ie*, from the time the Accused commenced the dangerous overtaking manoeuvre to the time he overtook Vehicle 6) was between 108km/h and 112km/h (for S2 to S3), between 115km/h and 120km/h (for S3 to S4) and between 122km/h and 126 km/h (for S4 to S5). This showed that the Accused's Car was accelerating throughout the dangerous overtaking manoeuvre and was traveling significantly above the speed limit of 50km/h.

c. The estimated speed of the Accused's Car from S5 to S6 (*ie*, after completing the dangerous overtaking manoeuvre and up to the point of the Second Collision at the Junction) was between 129km/h and 134 km/h. This showed that the Accused's Car accelerated away from the scene of the First Collision by further picking up speed after the First Collision, and entered the Junction at a speed of between 129km/h and 134 km/h when it caused the Second Collision. This was above the speed limit of 50km/h.

Damage to property and disruption to traffic

16. The damage to private property was as follows:

- (a) Vehicle 1 had a cracked and broken windshield; its driver's window, front passenger window and rear right passenger

window were cracked and broken; its front right side was scratched; its driver's door was broken; its roof was crumpled, scratched and broken; its rear left door and rear left side were crumpled, scratched and broken; its rear right door and rear right side were crumpled, scratched and broken; its entire rear was crumpled, scratched and broken; and its front left wheel and both rear wheels were twisted and bent out of shape.

- (b) Vehicle 2's right sideview mirror was cracked and broken; both its sideview mirrors were twisted; all three windows on its right side were cracked; both right side doors were crumpled and scratched; its rear left side was dented; its rear right side was crumpled and scratched; its rear right light was ripped off; its rear right bumper was crumpled and broken; its rear was damaged to the extent that its boot could not be closed; and its rear right wheel was scratched and twisted.
- (c) Vehicle 3's front bumper was crumpled, scratched and broken; part of its bonnet was crumpled, scratched and broken; its driver's door was dented and scratched; its rear right passenger door was scratched; its fuel cover was ripped off; its rear right side was scratched; and its front right wheel was scratched.
- (d) Vehicle 4 had a cracked windshield; its driver's window was cracked; its front right side was scratched, broken and partially ripped off; its front left side was partially ripped off; its rear right roof was crumpled; its rear right passenger door was crumpled, scratched and broken; its rear right light was ripped off; its rear

bumper was crumpled; its rear right wheel was punctured and damaged; and its rear right tyre was punctured.

17. In terms of government property, damage was caused to two portions of the green railing as well as the lamppost that Vehicle 3 crashed into as a result of the Second Collision. The repair costs amounted to S\$1,317.39. The Accused has entered into a six-month instalment plan to make full restitution to the Land Transport Authority.

18. As a result of the Second Collision, traffic flow at the Junction was significantly affected. At about 9.04am, the police had to stop all traffic at the Junction to facilitate the forensic examination of the scene. Once the forensic examination concluded, the police had to engage the National Environment Agency to clear debris, including broken glass, from the scene. There was also oil spillage that needed to be cleaned up. Normal traffic flow only resumed at about 5.35pm the same day.

The Accused's antecedents

19. The Accused did not have any previous convictions, but he did have a compounded offence of careless driving without reasonable consideration under Section 65(1) RTA on 13 April 2022.

20. Section 139AA RTA provides that for the purpose of determining the appropriate sentence for an offence committed by a person under the RTA, a court may take into account, as an aggravating factor, any offence that has been compounded on or after 1 November 2019 under the RTA before the date of the sentencing. For the avoidance of doubt, I did not consider any compounded

offences before 1 November 2019. As such, this is the only relevant compounded offence.

Prosecution's submission on sentence

21. The Prosecution sought the maximum claim trial sentence for each of the three proceeded charges.

22. While the Accused had pleaded guilty at Stage 1 of the SAP Guidelines, the Prosecution submitted that he should be accorded only 10-15% reduction in the sentence, with or without invoking the public interest exception.

23. For the Dangerous driving causing death charge, the Prosecution submitted that the sentence should be six years and nine months to seven years and three months' imprisonment.

24. For the Dangerous driving causing grievous hurt charge, the Prosecution submitted that the sentence should be four years and three months to four years and six months' imprisonment.

25. For the Dangerous driving causing hurt charge, the Prosecution submitted that the sentence should be one year and nine months' imprisonment.

26. The Prosecution submitted that the sentence for all three sentences should consecutively, leading to a total sentence of 12 years and 9 months' imprisonment to 13 years and six months' imprisonment.

27. The Prosecution also sought a Disqualification Order (All Classes) (“DQAC”) for life.

Defence submissions on sentence

28. The Defence did not disagree with the Prosecution’s submission that the Claim Trial sentence should be the maximum sentence but submitted that the Accused should be accorded the maximum 30% reduction as the Accused had pleaded guilty at Stage 1 of the SAP Guidelines.

29. For the Dangerous driving causing death charge, the Defence submitted for that the sentence should be six years to six years and six months’ imprisonment.

30. For the Dangerous driving causing grievous hurt charge, the Defence submitted that the sentence should be three years and six months’ imprisonment.

31. For the Dangerous driving causing hurt charge, the Defence submitted that the sentence should be one year and six months’ imprisonment.

32. Further, the Defence submitted that only two of the three sentences should run consecutively. This would be the sentences for the Dangerous driving causing death charge and the Dangerous driving causing hurt charge, leading to a total sentence of seven years and six months to eight years imprisonment.

33. The Defence did not disagree with the Prosecution’s submission for DQAC for life.

The court's decision on sentence

Dangerous driving causing death

34. The sentence prescribed under section 64(2)(a) RTA for an offence of Dangerous driving causing death is imprisonment for a term not less than two years' and not more than eight years' imprisonment.

35. The Prosecution submitted that the claim trial sentence should be the maximum of eight years' imprisonment as the harm and culpability was at the highest levels. The Defence did not disagree.

36. In *Sim Gek Yong v Public Prosecutor* [1995] 1 SLR(R) 185 ("*Sim Gek Yong*") Yong CJ observed on the circumstances in which the maximum sentence could be passed at [13]:

...The principles espoused above in *R v Tait and Bartley* and *Bensegger v R* represent, in my view, the approach which should be adopted by a court towards the issue of maximum sentences. **To restrict the maximum sentence to the "worst case imaginable" would only invite an endless permutation of hypotheses.** In the appellant's case, for instance, would the "worst case imaginable" be one in which the customs officers had been injured? Or would it be one in which one of the officers had been killed? Or would it be one in which an innocent bystander had been fatally hit by the appellant's car? The possibilities are limitless and the uncertainty intolerable. **All that a court can realistically do – and all that it should do when deciding whether or not to impose a maximum sentence is to identify a range of conduct which characterises the most serious instances of the offence in question....**

[emphasis added]

37. In the present case, the Accused's conduct caused not one, but two sets of collisions. The Accused's manner of driving bears recounting.

38. At about 7.04am, after the traffic light signal turned green, W1 and the Accused each executed a right turn into Bedok Reservoir Road in the direction towards Tampines Avenue 4. The speed limit on this road was 50km/h. The Accused continued to travel behind W1 for about a minute on the leftmost lane along Bedok Reservoir Road.

39. The Accused accelerated and abruptly overtook W1 from the right by swerving into Lane 1 before swerving back into Lane 2 in front of W1. The Accused did not activate his left or right turn signal indicators to signal his lane change from Lane 2 to Lane 1 and from Lane 1 back to Lane 2. During this dangerous overtaking manoeuvre, the rear left side of the Accused's Car collided with the front right side of Vehicle 6 (the "First Collision"). The impact caused Vehicle 6 to veer left, scraping its front left and rear left tyres against the kerb. During this dangerous overtaking manoeuvre, the Accused's Car also came very close to colliding with a motorcyclist who was riding a motorcycle on Lane 1.

40. The Accused's dangerous overtaking manoeuvre was the subject matter of the 3rd Charge taken into consideration for the purposes of sentencing.

41. Despite colliding with Vehicle 6 and feeling the impact on the rear left side of the Accused's Car, the Accused did not stop the Accused's Car (subject matter of the 4th Charge taken into consideration for the purposes of sentencing).

Instead, after overtaking W1, the Accused accelerated away from the scene of the First Collision by further picking up speed and continued to travel straight ahead along Bedok Reservoir Road for approximately 165 metres.

42. At about 7.06am, the Accused failed to stop at the red traffic light, which signalled that vehicles traveling along Bedok Reservoir Road in the direction towards Tampines Avenue 4 (such as the Accused) had to stop, and drove straight into the Junction at an estimated speed of between 129km/h and 134 km/h, which was significantly above the speed limit of 50km/h. The Accused drove straight into the Junction even though vehicles were travelling from his right to left and left to right at the Junction. The said traffic light signal was red for *at least 26 seconds* when the Accused beat the red light and drove straight into the Junction. The video footage also showed that a lorry that was traveling along Bedok Reservoir Road in the direction towards Tampines Avenue 4 had stopped in response to that red traffic light signal, just as the Accused should have done, for at least 26 seconds when the Accused beat the red light and drove straight into the Junction.

43. I pause here to emphasise that it was not as if the Accused beat the red traffic light signal by a mere one or two seconds. He did so after it had been red for *26 seconds* travelling at a speed of between 129km/h and 134 km/h, which was significantly above the speed limit of 50km/h. Further, there were vehicles travelling from his right to left and left to right at the Junction at that time. The fact that the Accused was not intoxicated at the material time did not detract from his highly dangerous manner of driving, driving at great speed into a junction with traffic travelling from opposite directions against a red traffic light.

44. As a result, the Accused's Car collided with Vehicles 1, 2 and 3 and caused a chain collision involving Vehicles 4 and 5.

45. Two persons died as a result of the Accused's dangerous driving, namely V2 and Ms Norzihan Binte Juwahib.

46. Additionally, V2's mother (V7) suffered greatly following her daughter passing and was diagnosed with Post-Traumatic Stress Disorder (PTSD) and Major Depressive Disorder (MDD) and is expected to require longer-term treatment and follow-up.

47. All things considered, I agree with both the Prosecution and the Defence that the facts of the present case squarely placed itself within "a range of conduct which characterises the most serious instances of the offence in question" thus justifying the maximum sentence on a claim trial basis.

48. The claim trial sentence is accordingly eight years' imprisonment.

Reduction for plea of guilt

49. The Accused had pleaded guilty at Stage 1 of the Sentencing Advisory Penal Guidelines on Reduction in Sentences for Guilty Pleas ("SAP Guidelines").

50. As set out Table 2 of the SAP Guidelines, the court *may* consider a *maximum reduction* of up to 30%.

51. Further, the SAP Guidelines state as follows at [13(b)]:

Where the court is of the view that it would be **contrary to the public interest** for these guidelines to be applied, given the circumstances of the specific case. In such a situation, the court may apply a reduction in sentence which is just and proportionate without reference to Table 2.

[emphasis added]

52. In this regard, our courts have, in previous cases, not accorded the maximum 30% reduction notwithstanding a plea of guilty at Stage 1 of the SAP Guidelines where public interest so demands, or where sentencing considerations of deterrence and retribution should not be significantly displaced merely because of the offender's plea of guilt.

53. In *Public Prosecutor v Yoong Kok Kai* [2025] SGHC 247 (“*Yoong Kok Kai*”), the offender had pleaded guilty to a charge of dangerous driving causing grievous hurt as a serious offender under s 64(2A)(a) and s 64(2A)(c) of the Road Traffic Act 1961 (2020 Rev Ed) (“RTA”). Xu J had regard to what were the egregiousness of the facts at [9] to [10]:

The arguments in this case occur against a backdrop of facts which showed great egregiousness. In brief, the accused drank alcohol on three occasions the night before he crashed into the victim; he had both whiskey and beer. Even after drinking so much, he wanted to drive back from South Bridge Road, downtown, to his home in Yishun. That was bad enough, but instead of driving north, he somehow ended up driving west, at great speed, hitting 134 km/h at one point and lane splitting in his car. He reached Tuas Checkpoint, rounded a bend at speed, veered, tried to steer back and then crashed into the victim, who was an officer on duty at the checkpoint. The victim, who was on duty,

tried to take cover on the pavement, behind a gantry post, which was itself behind a safety bollard.

....

The respondent was estimated to have been traveling at between 100 to 119 km/h at this point. The victim was flung by the crash, suffering traumatic brain injuries, fractures and other wounds. He suffered from permanent disabilities, and is now bed-bound and non-communicative. No compensation has been made. A subsequent blood test on the accused had shown an alcohol content of 153 mg of alcohol in 100 ml of blood, close to double the prescribed limit. Aside from the horrific injuries caused to the victim, extensive damage to public property was caused.

54. Xu J held that the starting point should be at the highest end of the sentence, at six years' imprisonment (as the offender was a serious offender).

55. Notably, on the level of reduction for the offender's plea of guilt, Xu J observed at [15] to [18]:

The starting point in sentence would be subject to reduction through mitigating factors. The only factor operating here would be the reduction for the plea of guilt. The parties accept that the guidelines are only guides.

The amount of reduction is intended to promote certainty and encourage early resolution of criminal cases. But the 30% recommendation reduction is not cast in stone. It can be displaced by appropriate circumstances through the public interest exception to the guidelines as noted in *Jeremiah Ng*. Where the evidence is clear, and the circumstances are egregious, requiring a heavy and harsh sentence, the 30% reduction is not appropriate. I do not understand *Jeremiah Ng* to stand against this proposition.

Certainly, the facts in the present case, particularly the fact that the vehicle went on the pavement, hitting someone on foot, makes the present case at least comparable if not worse than what happened in *Jeremiah Ng*, bad as that was. There the car had gone straight instead of turning as intended, smashing through a central divider, colliding into a vehicle there, which caused other collisions, with one death and multiple injuries. Seven years' imprisonment under a different limb of s 64 RTA was imposed and upheld. The maximum sentence was up to 10 years' imprisonment. The calibration and observations of the Court in *Jeremiah Ng* had to be seen against that different context.

Here, within the ambit of s 64(2A)(a) and s 64(2A)(c), the criminal conduct, particularly the dangerous driving was at the highest end. No one who goes over a kerb at high speed while intoxicated can claim otherwise. **And no one who commits such an act can claim a full 30% reduction. The public interest demands otherwise.**

It may be that the possible loss of such a reduction will lead to fewer pleas of guilt by offenders, with cases being tried instead with the concomitant use of resources and time. **The public interest in imposing heavy sentences where appropriate must trump such concerns.** If a person accused of egregious criminal conduct chooses a trial, then a trial must be held.

[emphasis added]

56. *Public Prosecutor v Lin Pengli Barrie and another appeal* [2025] 4 SLR 524 involved a case of animal cruelty under s 42(1)(d) of the Animals and Birds Act (Cap 7, 2002 Rev Ed). Hoong J held that in especially grave cases of offending, the sentencing considerations of deterrence and retribution should not be significantly displaced merely because of the offender's plea of guilt, and

accordingly, they should not be accorded the full 30% reduction under the SAP Guidelines at [60]:

....Under the Sentencing Advisory Panel's "Guidelines on Reduction in Sentences for Guilty Pleas" ("PG Guidelines"), an indication to plead guilty at the first mention may warrant a reduction in sentence of up to 30%. However, in especially grave cases of offending, the sentencing considerations of deterrence and retribution should not be significantly displaced merely because of the offender's plea of guilt, and accordingly, they should not be accorded the full 30% reduction under the PG Guidelines (Public Prosecutor v Foo Li Ping and another matter [2025] 4 SLR 1 at [75]). **Although the Respondent's early plea of guilt merits some consideration, his offences are among the gravest and most heinous cases of animal cruelty, and the sentencing considerations of general and specific deterrence should not be substantially displaced. Accordingly, I apply a limited reduction of 10% to the aggregate sentence, resulting in an aggregate sentence of 27 months' imprisonment....**

[emphasis added]

57. For the avoidance of doubt, the appropriate reduction for the Accused's plea of guilt is being considered for all three proceeded charges. In my judgment, the facts of the present case are considerably more serious than the road traffic cases of *Yoong Kok Kai* and *Jeremiah Ng*. *Yoong Kok Kai* did not result in any deaths, with one victim suffering grievous hurt, and *Jeremiah Ng* resulted in one death, one victim suffering grievous hurt and four victims suffering hurt. The present case involved two deaths, with three victims suffering grievous hurt and five victims suffering hurt.

58. I agree with the Prosecution that deterrence and retribution are the dominant sentencing considerations here and hence the Accused should not be entitled to the maximum 30% reduction, given the egregious facts of the present case. As noted, the facts of the present case were egregious enough to warrant the maximum claim trial sentence.

59. The Defence referred to the case of *Public Prosecutor v Sy Yong Da* [2021] SGDC 179 (“*Sy Yong Da*”) where the offender was speeding on his motorcar, swerving it abruptly from lane two to lane four of the road before losing control. The offender’s motorcar went off the road, mounted onto the left kerb and collided into the deceased who was walking along a sheltered pedestrian walkway from a nearby market. The offender drove off immediately from the accident scene. The court imposed a sentence of 68 months’ imprisonment (five years and eight months’ imprisonment).

60. While the Defence had the maximum 30% reduction in the present case, it nonetheless submitted that for the charge of Dangerous driving causing death the sentence should be six years to six years and nine months’ imprisonment. This is a reduction of between 25% and 16%, as a 30% reduction would result in a sentence of five years and seven months imprisonment. In my view, this is an implicit recognition that the facts of this case are more serious than *Sy Yong Da*, which it clearly is, and would not have merited a 30% reduction, resulting in a sentence of five years and seven months imprisonment which would have lower than the sentence of 68 months’ imprisonment (five years and eight months’ imprisonment) in *Sy Yong Da*.

61. All things considered, I am of the view that a 15% reduction can be imposed (as opposed to a lower figure) as there was still value in having avoided

a trial and having avoided multiple witnesses testifying and having to relive the trauma of that fateful day, at the same time giving some recognition to the utilitarian benefits of a plea of guilt and of the Accused's remorse, see *Jeremiah Ng* at [110]. In *Yoong Kok Kai Xu J* noted at [20] that "it would suffice to recognise any saving of resources through a 15% reduction".

62. This reduction of 15% will also feature as a consideration on the question of totality which I will later turn to. In terms of the two charges that were taken into consideration, I have considered these charges as offence-specific as opposed to offender-specific factors since they are related to the same incident, see *Jeremiah Ng* at [80(a)]. For completeness, it was not necessary for me to consider the impact of the Accused's compounded offence in 2022, given the egregious facts of the present offences.

63. Applying the 15% reduction to the eight years' imprisonment sentence, the sentence for the Dangerous driving causing death charge is six years and nine months' imprisonment (adjusted from 6.8 years to 6.75 years' imprisonment).

Disqualification order

64. The minimum disqualification period under section 64(2D)(a) RTA is 10 years.

65. Both the Prosecution and the Defence sought a DQAC for life.

66. On the facts of this case, a DQAC for life is warranted and a DQAC for life is imposed on the Accused's date of release.

Dangerous driving causing grievous hurt

67. The sentence prescribed under section 64(2A)(a) RTA is imprisonment for a term not less than one year and not more than five years' imprisonment.

68. There were three victims who suffered grievous hurt. The injuries were as follows:

- a) V1, who, *inter alia*, sustained left 4th-8th (anterolateral) and 10th-11th (posterior) rib fractures, right 3rd to 5th (anterior) rib fractures, T11 to L3 left transverse process fractures, and T5-T6 and L4-L5 right transverse process fractures and was on hospitalisation leave for 191 days from 22 April to 29 October 2024, 17 days from 25 March to 10 April 2025, and 2 days from 14 to 15 July 2025;
- b) V3, who, *inter alia*, suffered severe bodily pain for more than 20 days, and had to undergo various surgical procedures, including ligament repair, ligament reconstruction and grafts. She was given hospitalisation leave for 43 days from 23 July to 3 September 2024 and 37 days from 7 July to 12 August 2025. As of 8 August 2025, V3 still remained unable to perform certain everyday tasks, felt pain in her hand and continued to take painkillers as a result. Her husband had to take over the role of sending her children to school and tuition. She was also unable to straighten her left elbow and bend one of the fingers on her left hand. V3 had symptoms of PTSD two years after the incident and had to take on a role at the company she was working at that

was less demanding so that she had more time to recover and go for physiotherapy.

- c) Mr Chia Tong Chai, who, *inter alia*, sustained an avulsion fracture of the greater tuberosity of the right humerus and was given 70 days of hospitalisation leave from 22 April to 30 June 2024.

69. The Prosecution submitted that the claim trial sentence should be the maximum of five years' imprisonment as the harm and culpability was at the highest levels. The Defence did not disagree.

Reduction for plea of guilt

70. For the reasons highlighted above, the reduction is 15%.

71. The sentence is accordingly four years and three months' imprisonment.

Disqualification order

72. The minimum disqualification period under section 64(2D)(d) RTA is 8 years.

73. On the facts of this case, a DQAC of 15 years is imposed on the Accused from the date of release.

Dangerous driving causing hurt

74. The sentence prescribed under section 64(2B)(a) RTA is a fine not exceeding \$10,000 or imprisonment for a term not exceeding two years or both.

75. Five persons suffered hurt. The details are as follows:

- (a) V4, who, *inter alia*, sustained lower anterior abdominal wall abrasions, a right lateral abdominal wall abrasion and a right flank superficial abrasion and was diagnosed with PTSD requiring 17 sessions of psychotherapy to address his recurrent nightmares;
- (b) V5, who sustained a neck sprain;
- (c) Mr Mohammed Azman Bin Mohd Enjah, who sustained a neck sprain;
- (d) Ms Toh Sock Koon, who, *inter alia*, suffered bodily pain in her chest and was diagnosed with anxiety following the road traffic accident; and
- (e) V6, who sustained a head injury with a right fronto-temporal laceration and right middle and ring finger superficial abrasions, underwent surgical procedures under general anaesthesia and was given hospitalisation leave for 7 days from 22 to 28 April 2024 and light duty until 26 May 2024.

76. The Prosecution submitted that the claim trial sentence should be the maximum of two years' imprisonment as the harm and culpability was at the highest levels. The Defence did not disagree.

Reduction for plea of guilt

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77. For the reasons highlighted above, the reduction is 15%.

78. The sentence is accordingly one year and nine months' imprisonment.

Disqualification order

79. Although there is no mandatory disqualification period for this offence, disqualification orders are typically imposed by the courts for such offences under section 42(1) RTA and the Prosecution left it to the court to impose an appropriate disqualification period.

80. On the facts of this case, a DQAC of seven years is imposed on the Accused from the date of release.

Consecutive sentences

81. Under section 307(1) Criminal Procedure Code 2010 ("CPC"), at least two sentences of imprisonment must run consecutively.

82. The issue is whether a third sentence should also run consecutively.

83. In *ADF v Public Prosecutor and another appeal* [2010] 1 SLR 874 ("*ADF*"), the Court of Appeal held at [146] that an order for more than two sentences to run consecutively ought to be given serious consideration in dealing with distinct offences when *one or more* of the following circumstances were present:

(a) when dealing with persistent or habitual offenders;

- (b) when there was a pressing public interest concern in discouraging the type of criminal conduct being punished;
- (c) when there were multiple victims; or
- (d) where other peculiar cumulative aggravating features were present.

84. The Court of Appeal in *ADF* noted at [146] that further consecutive sentences ought to be considered where the overall criminality of the offender's conduct cannot be encompassed in two consecutive sentences.

85. In my judgement, factors (b) and (c) are engaged here. It is also pertinent to recognise the Court of Appeal's observation that further consecutive sentences ought to be considered where the overall criminality of the offender's conduct cannot be encompassed in two consecutive sentences.

86. Just as there was a public interest in not awarding the maximum 30% reduction for a plea of guilt, there is a public interest concern in deterrence that requires all three sentences to run consecutively. It was by legislative design that three separate charges had to be preferred to reflect the different degrees of severity of injuries suffered, and the total sentence should reflect the harm caused to all ten victims by the Accused's actions.

87. Relatedly, the fact that there are multiple victims here engages the principle of retribution which necessitates that the Accused be punished for the death, grievous hurt and hurt caused to these persons, as well as the emotional trauma suffered by others as a result of these deaths and injuries, as also evidenced from the various Victim Impact Statements submitted.

88. I accordingly order all three sentences to run consecutively leading to a global sentence of 12 years and nine months' imprisonment.

Sentences imposed

89. The sentences imposed are as follows:

Charge	Sentence
<u>1st Charge (amended) DAC-907576-2024</u> Section 64(1) punishable under ("p/u") section 64(2)(a) and section 64(2D)(a) RTA (Dangerous driving causing death)	Six years and nine months' imprisonment and DQAC for life from the date of release (consecutive)
<u>5th Charge (amended) DAC-910187-2025</u> Section 64(1) p/u section 64(2A)(a) and section 64(2D)(d) RTA (Dangerous driving causing grievous hurt)	Four years and three months' imprisonment and DQAC 15 years from date of release (consecutive)
<u>2nd Charge (amended) DAC-907577-2024</u> Section 64(1) p/u section 64(2B)(a) RTA (Dangerous driving causing hurt)	One year and nine months' imprisonment and DQAC for seven years from the date of release (consecutive)
Total Sentence:	12 years and nine months' imprisonment and DQAC for life from the date of release

Totality principle

90. As a “last look”, I considered whether the total sentence offended the totality principle. The totality principle comprises two limbs:

- (a) First limb: Whether the aggregate sentence was substantially above the normal level of sentences for the most serious of the individual offences committed; and
- (b) Second limb: Whether the effect of the sentence on the offender was crushing and not in keeping with his past record and future prospects.

91. In *Public Prosecutor v Law Aik Meng* [2007] 2 SLR (R) 814, VK Rajah J (as he then was) held at [58] to [59]:

Admittedly, the cumulative sentence of 12 years’ imprisonment I have prescribed exceeds the maximum sentence tier for the most serious of the individual offences involved (s 4 read with s 10 of the CMA) in the present case. Be that as it may, a sentence merely two years in excess of the ten-year upper limit for a s 10 CMA charge cannot be considered excessive. **More importantly, it must be borne in mind that such a definition of the totality principle should not be rigidly and blindly applied to all cases. Rather, it must be invoked sensibly. The totality principle guides the court in sentencing an offender guilty of more than one offence, ensuring that the total sentence remains proportionate to the gravity of the context.** There is a suggestion in *V Murugesan* ([55] *supra*) that the aggregate sentence can be measured against the maximum sentence for the most serious of the offences the accused has been convicted of, *unless* the offender is a persistent offender **or alternatively, if the maximum sentence seems too short to reflect the gravity of the appellant’s total conduct.**

....

Indeed, when *Navaseelan's* appeal ([54] *supra*) was heard, Tay J was of the view that the district judge erred when he appeared unduly constrained by the totality principle and unduly attentive to the maximum sentence provided for the “most serious offence” (which would be ten years’ imprisonment but for which the district judge could only sentence up to seven years because of s 11(3) of the CPC): [54] *supra* at [28]. As a consequence the district judge settled on an aggregate sentence of five and a half years’ imprisonment in assessing the permutation of consecutive sentences. **Tay J opined that this aggregate sentence imposed by the district judge did not reflect the severity of the offences in question and was indeed manifestly inadequate in the circumstances.** He therefore enhanced the sentence by altering the permutation of the consecutive sentences, ordering that *all* the sentences for the CMA charges were to run consecutively. This resulted in a total sentence of eight and a half years’ imprisonment (including the sentence for the theft charges).

[emphasis added]

92. As such, on the first limb of the totality principle, I was of the view that the maximum sentence provided for the “most serious offence” (in this case the Dangerous driving causing death charge) should not be viewed as capping the total aggregate sentence when two sentences are required by law to run consecutively by operation of section 307(1) CPC, nor should the sentence for Dangerous driving causing death be used as the benchmark against which to measure the amount of uplift.

93. Neither do I find the sentence crushing under the second limb of the totality principle. The Accused is presently 45 years old and a substantial term of imprisonment is commensurate with his conduct in the present case.

94. As a result of the Accused's conduct, two innocent lives were lost, with eight persons suffering grievous hurt or hurt, emotional trauma and/or career impact; with their families being irretrievably impacted. There was considerable damage to private and public property and the disruption to traffic and the clean-up operation of the debris, broken glass and oil spillage as a result of the Accused's conduct was so severe that normal traffic flow only resumed some ten hours after the collisions at 5.35pm.

95. The total sentence reflects the criminality of the Accused's conduct. Consistent with the observations of the Court of Appeal in *ADF*, all three sentences ought to run consecutively as the overall criminality of the Accused's conduct cannot be encompassed in two consecutive sentences, as sought by the Defence. At the same time, as the reduction for the Accused's plea of guilty, for each charge was 15% (and not a lower figure), this is a relevant consideration in my conclusion that the total sentence did not offend the totality principle such as to render the overall sentence crushing.

96. The final sentence is 12 years and nine months' imprisonment and DQAC for life from the date of release.

Toh Han Li
Principal District Judge
5 October 2026

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