

Public Prosecutor v Kee Hwee Lun
[2002] SGHC 89

Case Number : CC No 24 of 2001
Decision Date : 27 April 2002
Tribunal/Court : High Court
Coram : Choo Han Teck JC
Counsel Name(s) : —
Parties : —

Oral Judgment

GROUND OF DECISION

1. The fundamental nature of motherhood is to raise and protect its offspring; a desire to kill them is not apposite to that nature. I would imagine that so deep a nature can be supplanted by the utterly opposite and alien desire to wantonly kill its young only when there has been a partial, if not total, or temporary, if not permanent, affliction of the mind by illness. The medical report of Dr Tommy Tan dated 12 January 2001 bears this out, in this case at least.

2. But once a case such as yours comes before the courts, the law must be applied. The law here does not excuse your conduct only because the illness that had stricken you falls short of the legal definition of insanity. Your case, at once compels the court to apply the law, and at the same time, express a compassion that any human heart must feel for you and your children in your circumstances.

3. In considering the demands of the law, I am of the view that a general deterrence is not relevant in your case because I do not think that it would be frequent that a healthy and rational mind would contemplate the same dark thoughts that filled yours last Christmas. I have taken into account the period of remand since your arrest. And having satisfied myself that you are unlikely to repeat the same deed; and that medication and therapy have and will continue to arrest the illness that tormented you, I come to the opinion that law and justice will both be served by the imposition of a fine of \$1,000 on each of the charges upon which you have been convicted.

Sgd:

Choo Han Teck
Judicial Commissioner