



REPUBLIC OF SOUTH AFRICA

CHARGE SHEET**23 6806 2026**

* Make an X in the appropriate block

Police station WESTVILLE	CAS/CR/MAS/MR No. 50/03/2022	Case No. 23 6806 2026
District/Division KZN	Place of trial DURBAN	Review Case No. Date
		Investigation officer. COL. MISRA
		Date of first appearance 01/07/2026

Particulars of court officials must be furnished on the minutes of proceedings.

THE STATE VERSUS

Particulars of accused

Name HUSSUN ABDUL KHALEK OMAR														
Address 13 MEDBURN RAD, CAMPS BAY, CAPE TOWN														
Male	☒	Female	☐	Nationality	S.A.			Age	YRS					
*In custody	☒	On bail	☐	Warned	☐	Date of arrest	0	1	0	7	2	0	2	6
Name KRESTON KZN AGENCY [LEGAL ENTITY REPRESENTED BY ACCUSED 1]														
Address 131 JAN HOFMEYR ROAD, WESTVILLE														
Male	☐	Female	☐	Nationality				Age						
*In custody	☐	On bail	☐	Warned	☐	Date of arrest								

(hereinafter called the accused) charged with the offence(s) as set out in Annexure(s) A to as attached.

Plea	(Date)
Judgement	
(Date)	
Sentence on	
Date	
Magistrate	
Date of appointment to the rank of Magistrate	
Direction with regard to revision of sentence	
Direction with regard to filing of case record	

attorneys who handled the transaction were Reshma Sewsunker and Levy Simon Attorneys and Conveyancers.

15. Whereas, The FHO Trust, with trust number 00580/2015, was registered in Durban, with the following three active trustees, Fathima Hussun Omar (his daughter), Mahomed Hussun Omar (his son), Soraya Cassim Omar (his wife), all being relatives of HAK Omar

16. Whereas Hak Omar, without the authority of the board of directors of AIH transferred money from the bank account(s) of AIH to purchase Section 3 Houghton Bliss property for FHO Trust.

17. Whereas, LSM Distributors is an authorised distributor of Porsche vehicles in South Africa.

18. Whereas, Hak Omar without the authority of the board of directors of AIH transferred money from AIH bank account for the purchase of a Porche from LSM Distributors for Fathima Hussun Omar, her daughter.

19. Whereas, Global Gold Metal X Change was registered with CIPC on 30 September 201163. Based on its website, Global Gold Metal X Change specialises in the buying and selling of precious metal products, including gold, silver and Krugerrands. Its sole director is Noel John George Duncan.

20. Whereas Hak Omar, without the authority of the board of directors of AIH transferred money from AIH bank account to purchase gold, silver and Kruger rand coins.

21. Whereas Hak Omar to conceal or disguise the nature, source, location, disposition or movement of the said property or the ownership thereof or an interest, he would move the funds from AIH bank account to the Mop Agency account. From the Mop Agency account, he would again move the funds to a third party and finally the funds would be used to purchase property for himself or his relatives.

22. Whereas in terms of section 75 of the Companies Act Hak Omar at all material times had a fiduciary duty to act in good faith and in best interests of the company (AIH) with the degree of care, skill and diligence that may reasonably be expected of a person carrying out the same functions in relation to the company as those carried out by that director. Hak Omar chose to act for the benefit of himself, his family and that of his other companies to the detriment of AIH.

23. Now therefore, the accused are guilty of Fraud alternatively Theft, and Money Laundering.

ACCUSED – 1 AND 2

COUNTS 1 - 22 - FRAUD as per column 1 of Schedule 'A'

THAT the accused is guilty of Fraud read section 99 and 103 of Criminal Procedure Act 51 of 1977 and further read with section 51(2) of the Criminal Law Amendment Act 105 of 1997-Minimum Sentence (Except Counts 1,9,20 and 21)

IN THAT on or about the dates mentioned in Column B Schedule 'A' and at or near Amaanat Investment Holdings offices in Durban in the Regional Division of KwaZulu-Natal with intent to defraud did unlawfully and intentionally misrepresent to the directors of Amaanat Investment Holdings or shareholders of Amaanat Investment Holdings that:

- he had authority from the board of directors of Amaanat Investment Holdings to make payments as per Column C of Schedule 'A' from Amaanat Investment Holdings bank account to MOP Agency account as per Column D of Schedule 'A' or;
- the payments made from Amaanat Investment Holdings' account (Nedbank acc. No. 112 079 3939 as per Column C of Schedule A to MOP Agency account (Nedbank acc. No. 1648063977) as per Column D of Schedule 'A' and from Mop Agency bank account to Kreston as per Column E of Schedule 'A' were for accounting services provided by Kreston to Amaanat Investment Holdings or;
- by failing to disclose to the board of directors of AIH that he was making withdrawals against fees (which is a personal financial interest in terms of section 75(6) of the Companies Act) or
- that at all material times he was acting in the best interests of AIH

And did thus induce the board of directors of Amaanat to approve the financial statements so presented and Amaanat not to interrogate the financial statements and thereby causing potential or actual prejudice to Amaanat Investment Holdings for an amount of as per Column E of Schedule 'A'

Whereas in fact and in truth they were at all material times fully aware that: -

- accused 1 had no authority from the board of directors of Amaanat Investment Holdings to make payments as per Column C of Schedule 'A' from Amaanat Investment Holdings bank account to Mop Agency bank account as per Column D of Schedule 'A' and to Kreston as per column E or;
- the payments made from Amaanat Investment Holdings account as per Column C of Schedule A to MOP Agency as per Column D of Schedule 'A' and from Mop Agency bank account to Kreston as per Column E of Schedule 'A' were not for accounting services provided by Kreston to Amaanat Investment Holdings or;
- accused 1 was not at all material times acting in the best interests of AIH but that of himself, his family and his companies or

The counts of Fraud fall under part II of Schedule 2(Except Counts 1,9,20 and 21) because the amounts involved is more than R500 000.00. The minimum sentence is 15 years unless substantial and compelling circumstances exist.

ALTERNATIVE COUNTS 1- 22 as per column 1 of Schedule 'A'

ACCUSED – 1 AND 2

THEFT

In that the accused is guilty of Theft read with section 51(2) of the Criminal Law Amendment Act 105 of 1997-Minimum Sentence (Except Counts 1,9,20 and 21)

In that on or about the dates mentioned in Column B of Schedule 'A' and at or near the offices of Amaanat Investment Holdings in Durban in the Regional Division of KwaZulu-Natal, the accused did unlawfully and intentionally steal money mentioned in Column C of Schedule 'A' the property of or in possession of Amaanat Investment Holdings or its shareholders.

The count(s) of Theft falls under part II of Schedule 2 (Except Counts 1,9,20 and 21) because the amount involved is more than R500 000.00. The minimum sentence is 15 years unless substantial and compelling circumstances exist.

COUNTS 23-29 as per column 1 of Schedule 'B'

ACCUSED – 1 AND 2

MONEY LAUNDERING -SELF-LAUNDERING

THAT the accused is guilty of the crime of contravening the provisions of Section (4) read with section 1 and 8 of the PREVENTION OF ORGANISED CRIME ACT 121 OF 1998 as amended Further read with section 1 of Financial Intelligence Act 38 Of 2001

IN THAT on or about dates mentioned in Column B of Schedule B and at or near Amaanat Investment Holdings offices in Durban in the Regional Division of KwaZulu-Natal the accused being a person who knows or ought reasonably to have known the properties mentioned in Column D of Schedule B is or forms part of unlawful activities, to wit Fraud/Theft, unlawfully and intentionally; performed any other act in connection with such property, whether it was performed independently or in concert with another person, which had or was likely to have the effect-

(i) of concealing or disguising the nature, source, location, disposition or movement of the said property or the ownership thereof or an interest; or

(ii) of enabling or assisting a person to wit **HUSSUN ABDUL KHALEK OMAR** who had committed Fraud/Theft, in the Republic to wit in Durban or elsewhere

(aa) to avoid prosecution; or

(bb) to remove or diminish such property acquired directly, or indirectly, as a result of the commission of such offence to wit:

whilst he was one the directors and had sole signing powers to the bank account of Amaanat Investment Holdings without the knowledge or authority of the board of directors he transferred funds as per Column C of Schedule B from Amaanat Investment Holdings bank account to Mop Agency bank account as per Column D of Schedule B and from MOP Agency account to the entities mentioned in Column F of Schedule B to purchase properties mentioned in Column G of Schedule 'B'

Sentence: - A fine not exceeding R100 million, or imprisonment for a period not exceeding 30 years

COUNT 30-35 as per column 1 of Schedule 'B'

ACCUSED 2 represented by accused 1

MONEY LAUNDERING -ASSISTING ANOTHER

Assisting another to benefit from the proceeds of unlawful activities

**That the accused is guilty of contravening Section 5((a) or (b) read with Sections 1, 4(i),4(ii), and 8 of the Prevention of Organised Crime Act 121 of 1998 as amended -
Assisting another to benefit from the proceeds of unlawful activities**

In that during the dates mentioned in Column B of Schedule B and at or near Durban within the Regional Division of KwaZulu-Natal, intentionally or negligently whereas the accused 1 acting on behalf of accused 2 (Kreston KZN Agency) knew or ought reasonably to have known that the property, to wit as per column G of Schedule B was or formed part of unlawful activities

- a) Entered into an agreement and/or
- b) Engaged in any arrangement or transaction

Which had or was likely to have the effect whereby:

- a) the retention or control by the accused 1 or on behalf of the accused 1 of the proceeds of unlawful activities is maintained and/or
- b) the said proceeds of unlawful activities were used to buy properties as mentioned in column G for accused 1 or members of his family

to wit accused 2 was legal entity under the control of accused 1 as its director and was used by accused 1 as a vehicle to channel funds obtained illegally from AIH in order to buy properties as mentioned in column G of Schedule B.

Sentence: - A fine not exceeding R100 million, or imprisonment for a period not exceeding 30 years.

SV HUSSUN ABDUL KHALEK OMAR AND ANOTHER

CASE NO.

SCHEDULE 'A'

Column A	Column B	Column C	Column D	Column E
Count	Date	Payment from AIH	Payment received by MOP agency	Payment to Kreston
1	26 April 2016	R367,000.00	R367,000.00	R367,000.00
2	27 May 2016	R912,000.00	R912,000.00	R912,000.00
3	10 February 2017	R7,797,555.19	R4,297,555.19	R4,297,555.19
4	26 April 2017	R2,850,000.00	R2,850,000.00	R2,850,000.00
5	26 May 2017	R1,140,000.00	R1,140,000.00	R1,140,000.00
6	27 July 2017	R2,000,000.00	R2,000,000.00	R2,000,000.00
7	31 August 2017	R570,000.00	R570,000.00	R570,000.00
8	27 September 2017	R1,482,000.00	R1,482,000.00	R1,482,000.00
9	27 October 2017	R342,000.00	R342,000.00	R342,000.00
10	27 November 2017	R2,280,000.00	R2,280,000.00	R2,280,000.00
11	14 September 2018	R500,000.00	R500,000.00	R500,000.00
12	27 September 2018	R2,000,000.00	R2,000,000.00	R2,000,000.00
13	24 November 2020	R500,000.00	R500,000.00	R500,000.00
14	29 January 2021	R1,100,000.00	R1,000,000.00	R1,000,000.00
15	05 March 2021	R750,000.00	R500,000.00	R500,000.00
16	05 March 2021	R500,000.00	R500,000.00	R500,000.00
17	05 March 2021	R500,000.00	R500,000.00	R500,000.00
18	31 March 2021	R1,300,000.00	R1,300,000.00	R1,300,000.00
19	30 April 2021	R900,000.00	R450,000.00	R450,000.00
20	31 May 2021	R292,000.00	R292,000.00	R292,000.00
21	23 July 2021	R400,000.00	R400,000.00	R400,000.00
22	29 October 2021	R1,000,000.00	R1,000,000.00	R1,000,000.00
TOTAL		R 29 482 555.19	R 25 182 555.19	R 25 182 555.19

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SV HUSSUN ABDUL KHALEK OMAR AND ANOTHER

CASE NO.

SCHEDULE 'B'

Column A	Column B	Column C	Column D	Column E	Column F	Column G
Count	Date	Payment from A/H	Payment received by MOP agency	Payment to third party	Name of third party	Asset acquired
30	26 August 2019	R12,000,000.00	R12,000,000.00	R12,000,000.00	Reshma Sewunker Attorneys	13A Medburn Street Camps Bay Cape Town
31	12 July 2019	R865,000.00	R500,000.00	R500,000.00	Hi-Tech Developers	Unit 3 Houghton Bliss Houghton Estate
32	06 July 2020	R3,000,000.00	R3,081,419.09	R3,081,419.09	Reshma Sewunker Attorneys	Unit 3 Houghton Bliss Houghton Estate
33	25 November 2019	R2,000,000.00	R1,025,259.00	R1,025,259.00	LSM Distributor	Porsche - J89KRGF
34	28 February 2020	R2,000,000.00	R2,000,000.00	R2,000,000.00	Global Gold Metal X Change	Precious metals
35	10 March 2020	R2,000,000.00	R2,000,000.00	R2,000,000.00	Global Gold Metal X Change	Precious metals

R21 865 000.00 R20604 678.09 R20604 678.09

70142

Exhibit 1A

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J15 (R1/801118)

11/07/2026 IN COURT 110
SITTING OFFICER MR MC S JUNA
PUBLIC PROSECUTOR MR S M MAT-LO
DEFENCE MR J BOMA
INTERPRETER NOT REQUIRED

CASE NO 236 S - 6/2026

ACC. is the

Schedule 5 but expiratory, unavailability
recorded

OP - But with approx 2, admitted
have been released. Conditions
suggested but to be lived R200 000-00
that he submit a 2 Camps
Buy SAPS Monday & Thursday, that
he surrender passport and
USA green card, not to travel abroad
& not to pursue citizenship in Foreign
States.

Def: Proceeds by way of an affidavit
made before it

Sub: Proposed 05/08/2026 Discovery

But lived R200 000-00, on condition he is to surrender
travel documents, including USA green card, to the
FIO, not to travel outside RSA, not to seek
citizenship in Foreign States, Not to interfere
with state witnesses in any
manner

