

IN THE HIGH COURT OF FIJI
AT SUVA
CRIMINAL JURISDICTION

Criminal Case No: HAC134 of 2012

BETWEEN : **THE STATE**

AND : **JOSUA WALILI**
ILIANI SUKALOA
SAILOSI LAWALIGANA

BEFORE : **HON. MR. JUSTICE PAUL MADIGAN**

Counsel : Ms L. Koto for the State
Mr. J. Savou with Ms L. Raisua (L.A.C)
for all accused

Dates of hearing : 1st & 2nd May 2013
Date of summing up : 3rd May 2013
Date of judgment : 3rd May 2013

JUDGMENT

[1] Josua Walili, Iliani Sukaloa, and Sailosi Lawaligana, you have been charged with the following offences:

FIRST COUNT
(Representative Count)
Statement of Offence

RAPE: Contrary to Section 207(1) and (2)(a) of the Crimes Decree No. 44 of 2009.

Particulars of Offence

JOSUA WALILI, between the 1st day of January 2012 to the 31st day of January 2012 at Naikawaga Village, Tailevu in the Central Division, had carnal knowledge of NUNIA RERENACANIBULA without her consent.

SECOND COUNT
Statement of Offence

RAPE: Contrary to Section 207(1) and (2)(a) of the Crimes Decree No. 44 of 2009.

Particulars of Offence

ILIANI SUKALOA between the 1st day of January 2012 to the 31st day of January 2012 at Naikawaga Village, Tailevu in the Central Division, had carnal knowledge of NUNIA RERENACANIBULA without her consent.

THIRD COUNT

Statement of Offence

RAPE: Contrary to Section 207(1) and (2)(a) of the Crimes Decree No. 44 of 2009.

Particulars of Offence

SAILOSI LAWALIGANA between the 1st day of January 2012 to the 31st day of January 2012 at Naikawaga Village, Tailevu in the Central Division, had carnal knowledge of NUNIA RERENACANIBULA without her consent.

- [2] In the unanimous opinion of the two assessors, you have each been found guilty of those offences. That being a joint opinion on the credibility of the complainant it is an opinion which I would not wish to interfere with. Having directed myself then on my own Summing Up, I find each of you guilty of the offence as charged and convict you accordingly.
- [3] That is the judgment of the Court.

Paul K. Madigan
JUDGE

At Suva
3rd May 2013