

IN THE HIGH COURT OF FIJI
AT LABASA
CRIMINAL JURISDICTION

Criminal Case No: HAC031 of 2012

BETWEEN : **THE STATE**

AND : **MOHAMMED IBRAHIM**

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

Counsel : Ms P. Lo for the State
Mr. P. Lomaloma for the accused

Dates of trial : 20 to 23 May 2013

Date of judgment : 24 May 2013

JUDGMENT

[1] Mohammed Ibrahim, you have been charged with the following two offences:

FIRST COUNT

Statement of Offence

ATTEMPTED MURDER: Contrary to sections 44 and 237 of the Crimes Decree, 2009.

Particulars of offence

Mohammed Ibrahim between the 14th of April 2012 and the 15th April 2012, at Labasa in the Northern Division, attempted to murder Salote Mate.

SECOND COUNT

Statement of Offence

RAPE: Contrary to section 207(1) and (2)(a) of the Crimes Decree 2009.

Particulars of Offence

Mohammed Ibrahim on the 14th day of April 2012, at Labasa in the Northern Division, had carnal knowledge of Salote Mate without her consent.

- [2] In the unanimous opinion of three assessors you were found not guilty of the first count but guilty of the second. In directing myself on my own Summing Up, I agree with the assessors and find you not guilty of attempted murder but guilty of rape. You are acquitted of the count of attempted murder and convicted of the count of rape.
- [3] That is the Judgment of the Court.

Paul K. Madigan
JUDGE

At Labasa
24 May 2013