

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO. HAC 159 OF 2012S

STATE

VS

ISIKELI VUETI

Counsels : **Mr. S. Nath and Mr. A. Dutt for the State**
Mr. S. Waqainabete for Accused

Hearings : **24th, 25th and 26th June, 2013**

Summing Up : **27th June, 2013**

Judgment : **27th June, 2013**

JUDGMENT

1. The three assessors have returned with a unanimous not guilty verdict on the count of rape, and a unanimous not guilty verdict, on the alternative count of defilement.
2. The three assessors obviously have rejected the prosecution's version of events, first, on the rape charge; and second, on the alternative charge of defilement. Obviously, they have found that the prosecution had not proven its case beyond reasonable doubt against the accused.
3. I have reviewed the evidence called in the trial.

4. I have directed myself in accordance with the Summing Up I gave the assessors today.
5. In my view, the assessors' unanimous verdict was not perverse. It was open to them to reach such conclusion on the evidence. I am guided by the unanimous view of the three assessors. I accept their verdict and I find the accused not guilty as charged on the rape matter and not guilty as charged on the alternative charge of defilement.
6. I acquit him accordingly on the above charges.
7. Accused is free to go home.
8. Assessors thanked and released.

Salesi Temo
JUDGE

Solicitor for the State : **Office of the Director of Public Prosecutions, Suva**
Solicitor for Accused : **Legal Aid Commission, Suva**