

**IN THE HIGH COURT OF FIJI
AT SUVA
CRIMINAL JURISDICTION**

CRIMINAL CASE NO: HAC 168/2010

BETWEEN: THE STATE

AND:

- 1. ROHIT VISHAL ANAND**
- 2. RONEEL VIKASH SINGH**

COUNSEL:

Ms A Vavadakua for the State
First Accused in Person
Mr R P Singh for the second Accused

Date of Trial: 16-18/07/2013

Date of Summing-Up: 19/07/2013

Date of Judgment: 22/07/2013

[Name of the victim is suppressed. She will be referred to as ML]

JUDGMENT

1. The assessors have expressed unanimous opinions that the accused persons are not guilty of Rape. The unanimous opinion is completely tenable on the basis of evidence considered in accordance with the legal directions that have been made.
2. I have considered and evaluated the evidence, applying legal principles contained in my summing-up to the assessors.

3. A serious doubt has been raised by the defence with regard to the identity of both accused person which affect the root of the case. The benefit of the doubt should be given to the accused persons.
4. The judgment of this court is that that the accused persons are not guilty of Rape of ML. Both are acquitted from their respective count accordingly.

P Kumararatnam
JUDGE

At Suva

22/07/2013