

IN THE HIGH COURT OF FIJI
AT LABASA
CRIMINAL JURISDICTION

Criminal Case No: HAC 48 of 2011

BETWEEN : **THE STATE**

AND : **1. PURATAKE TAPOGE**
2. KITIONE VESIKULA
3. FILOMENE ULUIVITI

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

Counsel : Mr. M. Maitava for State
All accused in person

Dates of hearing : 2-6 August 2013
Date of Judgment : 8 August 2013

JUDGMENT

[1] Puratake Tapoge, Kitione Vesikula and Filomene Uluiviti you have been charged with the following offence:

MURDER: Contrary to section 237 of the Crimes Decree 2009.

Particulars of Offence

Puratake Tapoge, Kitione Vesikula and Filomene Uluiviti on the 28th July 2011, at Taveuni in the Northern Division, murdered Iowane Petuna.

[2] After hearing the evidence at trial the three assessors have returned with a unanimous opinion of guilty. I direct myself on my own summing up and agree with that opinion. There is ample evidence that the three of you were acting in concert on the 28th July in attacking the deceased with fists, a wooden bar and a cane knife. The deceased died as a result of that attack, he having serious wounds to his head causing haemorrhaging.

[3] I find the three of you guilty of the offence and convict each of you accordingly.

[4] That is the Judgment of the Court.

Paul K. Madigan
JUDGE

At Labasa
8 August 2013