

IN THE HIGH COURT OF FIJI
AT SUVA
CRIMINAL JURISDICTION
CRIMINAL CASE NO. HAC 122 OF 2012S

STATE

VS

ROKOLUI VUNIGASAU

Counsels : **Mr. M. Vosawale for State**

Accused in Person

Hearings : **21st and 22nd August, 2013**

Summing Up : **23rd August, 2013**

Judgment : **23rd August, 2013**

JUDGMENT

1. The three assessors have returned with a unanimously Not Guilty verdict against the accused, on both counts of rape.
2. Obviously, the three assessors have rejected the prosecution's version of events. It appeared they have found that the prosecution had not proven its case against the accused, on both counts, beyond a reasonable doubt.
3. I have reviewed the evidence called in this trial.
4. I have directed myself in accordance with the summing up I gave the assessors today.
5. The verdict of the three assessors' was not perverse. It was open to them to reach such conclusion on the evidence. Obviously, they haven't accepted the prosecution's version of events. I agree with them. I accept their decision.

6. I find the prosecution has not proven its case against the accused beyond a reasonable doubt, on both counts. I find the accused Not Guilty as charged on counts nos. 1 and 2. I acquit him accordingly on those counts.
7. The accused is free to go home.
8. Assessors thanked and released.

Salesi Temo
JUDGE

Solicitor for the State : **Office of the Director of Public Prosecution, Suva**
Solicitor for the Accused : **In Person**