IN THE HIGH COURT OF FIJI AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO.: HAC 048 of 2011

BETWEEN: THE STATE COMPLAINANT

A N D: ANARE BOILA ACCUSED

Counsel : Ms. Vavadakua for the State

Mr. J. Savou for the Accused

Summing Up : 16th October 2013

Judgment: 17th October 2013

JUDGMENT

1. Anare Boila you have been charged with the following offence:

Statement of Offence

RAPE: Contrary to section 207 (1) and (2) (a) of the Crimes Decree 44 of 2009.

Particulars of Offence

ANARE BOILA on the 6th day of November, 2010, at Waiwatu Settlement, Serea, Naitasiri in the Central Division penetrated the vagina of U.L. with his penis, without the consent of the said U.L.

2. In the unanimous opinion of three assessors you have been found NOT GUILTY of the offence. In directing myself on my own summing up, I

concur with the Assessors and also find you NOT GUILTY. You are acquitted of the offence accordingly.

3. That is the judgment of the Court.

Janaka Bandara **Judge**

At Suva

Office of the Director of Prosecution for State Office of the Legal Aid Commission for the Accused