

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO. HAC 236 OF 2014S

STATE

vs

MOHAMMED RIYASAT ALI

Counsels	:	Ms. D. Kumar and Ms. M. Konrote for the State Mr. N. Nand and Mr. P. Kumar for the Accused
Hearings	:	22 and 23 March, 2016
Summing Up	:	24 March, 2016
Judgment	:	24 March, 2016

JUDGMENT

1. The three assessors had returned with a unanimous opinion finding the accused guilty as charged on count no. 1, 2, 4, 5 and 6.
2. Obviously, the three assessors had accepted the prosecution's version of events. It would appear they had accepted the three children's sexual offence complaints against the accused. They appear to have rejected the accused's sworn denials.
3. I have reviewed the evidence called in the trial and I have directed myself in accordance with the Summing Up I gave the assessors today.

4. The assessors' verdict was not perverse. It was open to them to reach such conclusion on the evidence.
5. Assessors are there to assist the trial judge come to a conclusion on the guilt or otherwise of the accused. I agree with the assessors' verdict and I accept them. I agree with their views on the three complainants' evidence. I find them credible. I accept the assessors' rejection of the accused's sworn denials.
6. Given the above, I find the accused guilty as charged on all counts and I convict him accordingly.
7. Assessors thanked and released.




Salesi Temo
JUDGE

Solicitor for State : **Office of the Director of Public Prosecution, Suva.**
Solicitor for Accused : **Nand's Law, Barrister and Solicitor, Suva.**