

IN THE HIGH COURT OF FIJI
AT LABASA
[CRIMINAL JURISDICTION]

CRIMINAL CASE NO.: HAC 28 OF 2019

BETWEEN : STATE

AND : ALIKI RITALAU PRASAD

Counsel : Ms A. Vavadakua for the State
Mr P. Gade and Ms S. Devi for the Accused

Dates of Hearing : 24 - 25 June 2020

Date of Summing Up: 25 June 2020

Date of Judgment: 25 June 2020

JUDGMENT

[1] All three assessors have found the Accused guilty of digital rape of his 12 year old stepdaughter. They have believed the evidence of the complainant that the Accused inserted his finger into her vagina through her tights while they were in a river in February 2019. The act was intentional as the Accused told the complainant that he was going to touch her vagina while pulling her into the water. I believe the complainant's evidence as true. Consent was not an issue as the complainant was under 13 years of age at the time of the act.

[2] I direct myself in accordance with my summing up and accept the unanimous opinion of the assessors that the Accused is guilty of digital rape. Accordingly, he is convicted as charged.




.....

Hon. Mr Justice Daniel Goundar

Solicitors:

Office of the Director of Public Prosecutions for State

Office of the Director of Legal Aid Commission for Accused

