

**IN THE HIGH COURT OF FIJI**

**AT SUVA**

**[CRIMINAL JURISDICTION]**

**CRIMINAL CASE NO. HAC 303 OF 2018**

**BETWEEN** : STATE

**AND** : SIRELI KOYAMAIBOLE

**Counsel** : Mr S Komaibaba for the State  
Ms M Chand and Ms L Ratidara for the Accused

**Date of Hearing** : 13 – 14 July 2020

**Date of Judgment** : 15 July 2020

**JUDGMENT**

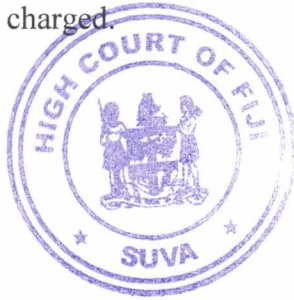
[1]

	<b><u>Count 1</u></b> <b><u>[Assault with intent to Commit Rape]</u></b>	<b><u>Count 2</u></b> <b><u>[Rape]</u></b>
Assessor 1	Guilty	Guilty
Assessor 2	Not Guilty	Not Guilty
Assessor 3	Guilty	Guilty

[2] The majority opinions of the assessors are that the Accused is guilty of assault with intent to commit rape (Count 1) and rape (Count 2). They have not believed the evidence of the Accused but have believed the evidence of the complainant as true.

[3] I direct myself in accordance with my summing up. The Accused was an evasive witness. His version of the events is not plausible. The complainant struck me as an honest and reliable witness. I believe her evidence that the Accused assaulted her and then raped her.

[4] I find the Accused guilty of assault with intent to commit rape (Count 1) and rape (Count 2). He is convicted as charged.



.....  
**Hon. Mr Justice Daniel Goundar**

**Solicitors:**

Office of the Director of Public Prosecutions for the State

Legal Aid Commission for the Accused