

IN THE MAGISTRATE'S COURT AT LABASA
CRIMINAL JURISDICTION

Criminal Case No. 639 of 2017

STATE

v

SENIROQA COLATI

Counsels : **WCPL Musuqawa** for the Prosecution
Mr Koroitini. J for the Accused

Sentence : **11 June 2018**

SENTENCE

1. Seniroqa Colati, today is for sentencing for *Absconding Bail Conditions* contrary to *section 2(1) and 26(1) of the Bail Act*.
2. On 3 April 2018, you pleaded guilty to the charge in the presence of your Counsel. I find your plea to be unequivocal, as it was given on your own free will.
3. The brief summary of facts are;-
"The accused Seniroqa Colati the accused person in CF 289/17 was bailed by the Labasa Magistrate Court to attend court on 2 October 2017. The accused failed to appear in court on 2 October 2017 and breached his bail condition. The accused was arrested at Makoj, Nasinu."

4. On 8 June 2018, you admitted to the above summary of facts, and convicted as charged. Your Counsel submitted oral mitigation on the same day.
5. The maximum penalty for *Breach of Bail Condition* is fine of \$2,000.00, or 12 months imprisonment, or both.
6. On 8 June 2018, I had sentence you to 1 year and 7 months imprisonment for the offence of *Setting Fire To Crops* in Criminal Case No. 289 of 2017.
7. In your sentence, I noted your early guilty, the oral mitigation submitted by your Counsel and the 2 weeks you spent in remand.
8. Considering the facts and all circumstances of this case, I pick 5 months imprisonment as your sentence for this offence. Suspended sentence is not appropriate, since you are serving for a period longer than your sentence in this case.
9. Seniroqa Colati, I now sentence you to 5 months imprisonment with immediate effects. This sentence to be served concurrently with your sentence in *Criminal Case No. 289 of 2017*.

28 days to appeal.



C. M. Tuberi
RESIDENT MAGISTRATE