

IN THE SUPREME COURT OF FIJI

Revisional Jurisdiction

Review No. 5 of 1981

175
000400

IN THE MATTER OF THE
CRIMINAL PROCEDURE CODE

AND IN THE MATTER OF
CRIMINAL CASE NO. 381 OF
1981 BEFORE THE MAGISTRATE'S
COURT NAUSORI

Between:

REGINAM

Complainant

and

SEMI TUIKAWAKAWA

Respondent

ORDER ON REVISION

The respondent was on the 27th April 1981 convicted of arson contrary to section 353(a) of the Penal Code by the Magistrate's Court Nausori and sentenced to eighteen months' imprisonment.

The learned Magistrate who sentenced the respondent has very promptly reported to this Court that he had intended to sentence the respondent to twelve months' imprisonment but by mistake or inadvertently he recorded a sentence of eighteen months' imprisonment. The learned Magistrate has requested that the recorded sentence be reduced to twelve months' imprisonment, the sentence he had intended to impose, by this Court exercising its powers of revision.

The sentence of eighteen months' imprisonment is accordingly quashed and in substitution therefor the respondent is sentenced to twelve months' imprisonment.

R.G. Kermode
(R.G. Kermode)
Acting Chief Justice

Suva,
7th May, 1981.