IN THE COURT OF APPEAL OF
THE REPUBLIC OF VANUATU
(Criminal Appellate Jurisdiction)

CRIMINAL APPEAL CASE No. 9 OF 2015

BETWEEN: **JANSSEN FRAZER WELEGTABIT**
Appellant

AND: **PUBLIC PROSECUTOR**
Respondent

Coram: *Hon. Justice John Von Doussa*
Hon. Justice Oliver Saksak
Hon. Justice Raynor Asher
Hon. Justice Daniel Fatiaki
Hon. Justice Dudley Aru
Hon. Justice Stephen Harrop
Hon. Justice David Chetwynd

Counsel: *Ms. Jane Tari for the Appellant*
Mr. Damien Boe and Mr. Ken Massing for the Respondent

Date of hearing: *10 November 2015*

ORDER

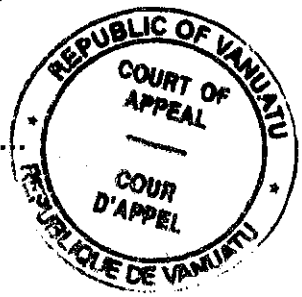
The Court having heard Counsel in relation to this appeal and having decided that:-

1. The appeal be allowed.
2. The conviction and sentence for the charges of acts of indecency without consent and sexual intercourse without consent be set aside.
3. That pending a retrial the appellant be released on bail.
4. The appellant is to be released from custody forthwith.
5. The Court will publish reasons.

It is therefore ordered that the appellant Jansen Frazer Welegtabit be released forthwith from the Correctional Centre.

DATED at Port Vila this 11 day of November 2015.

FOR THE COURT



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DUDLEY ARU
Judge