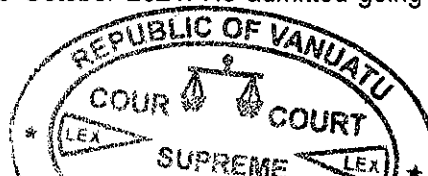


PUBLIC PROSECUTOR
v
CYRIAQUE MELTEK

Date of Plea: 25th February 2025
Coram: Hon. Justice Oliver A. Saksak
Counsel: Laura Lunabek for the Public Prosecutor
Francis Tasso for the Defendant
Date of Sentence: 21 March 2025

SENTENCE

1. Cyriaque Meltek pleaded guilty to one Count of unlawful entry into a dwelling house and to one count of theft.
2. The offendings occurred on 19 September 2024 at No. 3 area in Port Vila. At about 6 o'clock am the defendant made a telephone call to the house-servant of the complainant. He inquired from her whether the students had already gone back to school so he could return to the house. When the house-servant answered "yes" the defendant told her he would go over to the house at lunch time. He also informed that he would call the complainant and notify him prior to him going to the house.
3. The defendant is related to the complainant as "brother". At 5 o'clock pm that day when the complainant returned home he noticed there was a break-in. the following items went missing –
 - A Samsung tablet – VT50,000;
 - 2 money-tins with cash worth VT170,000;
 - 2 sauvages perfumes worth VT22,000;
 - 1 pair of Fijian sandals worth VT4,000.
4. The complainant called the defendant and enquired from him if he was responsible, but the defendant denied any involvement.
5. The matter was then reported to the Police who investigated and apprehended the defendant and interviewed him under caution on 9 October 2024. He admitted going into the house by jumping



through a window. He admitted taking all the items stated to have been stolen. And he admitted using up all the cash money that he had stolen from the house. The total amount involved was VT246,000.

6. These are serious offences. Unlawful entry into a dwelling house carries the maximum penalty of 20 years imprisonment. And theft carries the maximum penalty of 12 years imprisonment.
7. There are no mitigating circumstances. But there are aggravating features such as breach of trust, careful thinking and pre-planning, the lying and blunt denial by the defendant and the total losses of all the items, including the money stolen except for the tablet which defence says was recovered. . The defendant has previous conviction for similar offending in 2018.
8. This case has similar features to the cases of Public Prosecutor v Molsul [2023] VUSC 257 where VT251,300 were stolen and Public Prosecutor v Akuma [2023] VUSC 145 where the total sum of all itmes stolen was VT250,000. The case of Public Prosecutor v Wako [2025] VUSC 1 is not applicable.
9. Taking the seriousness of the offences committed together with the aggravating features, I adopt the start sentence of the defendant as follows –
 - (a) For unlawful entry – Count 1: 4 years imprisonment;
 - (b) For theft – Count 2: 3 years imprisonment concurrent with the sentence for the offence in Count 1.The total concurrent sentence shall be 4 years imprisonment.
10. In mitigation, I reduce the sentence by 12 months for early guilty pleas. And for all his other personal factors the sentence is further reduced by 8 months. The balance of the sentence is 2 years and 4 months imprisonment.
11. The defendant is therefore sentenced to an end sentence of 2 years and 4 months imprisonment.
12. The sentence will not be suspended as there are no exceptional circumstances.
13. The sentence is to take immediate effect as of today.
14. The defendant has 14 days in which to appeal against this sentence.

DATED at Port Vila, this 21st March, 2025.

BY THE COURT

Hon. Justice Oliver A. Saksak

