

**IN THE HIGH COURT OF FIJI**  
**AT SUVA**  
**CRIMINAL JURISDICTION**

**CRIMINAL CASE NO: HAC 030 OF 2009**

**BETWEEN:**

**THE STATE**

**AND:**

**MANASA NAITUKU**

**Counsel:** Ms. J. Cokanasiga for State  
Accused in person

**Date of Hearing:** 1<sup>st</sup> June 2009

**Date of Sentence:** 3<sup>rd</sup> June 2009

## **SENTENCE**

[1] Manasa Naituku, you are convicted on your plea of guilty to the following offence:

### **Statement of Offence**

**POSSESSION OF AN ILLICIT DRUG:** Contrary to Section 5(a) of the Illicit Drugs Control Act, No. 9 of 2004.

### **Particulars of offence**

MANASA NAITUKU, on the 29<sup>th</sup> day of December, 2006 at Suva in the Central Division without lawful authority, possessed 928.8 grams of Cannabis, an Illicit Drug.

- [2] The facts are that on 20 December 2006 at 1.10am, you were a passenger in a mini van travelling to Suva from the West. The vehicle was stopped at Delainavesi Police Post and searched by police. The police found dried leaves inside your bag. The leaves were wrapped with cloth and packed in plastic bag.
- [3] The leaves were tested and found to be Cannabis. Under caution you told the police that you bought the drugs from Sigatoka market for \$150.00.
- [4] In mitigation, you said you are 36 years old, and married with three children age between 3 and 8 years. You are the sole breadwinner for your family. Your spouse is unemployed. Currently, you are serving a term of 3 years imprisonment which was imposed on 29 December 2008 for a similar offence, involving 780.5 grams of Cannabis.
- [5] Your early guilty plea, cooperation with the police and personal circumstances are the mitigating factors. The aggravating factors are the quantity of cannabis and the fact that the drugs were for supply. Suppliers of drugs are motivated by selfish financial gain, without any regard to the harm drugs cause to the users. For this reason, people who supply illegal drugs should expect deterrent sentences from the courts.
- [6] Taking all these matters into account, you are sentenced to 2 years and 6 months imprisonment, to be served concurrently with your pre-existing prison sentence.

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Daniel Goundar  
**JUDGE**

At Suva  
3<sup>rd</sup> June 2009

**Solicitors:**

Office of the Director of Public Prosecutions for State  
Accused in person