

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO. HAC 073 OF 2008

STATE

VS

TOMASI SINUDAMU

Counsel: Ms J Cokanasiga for the State

Accused in person

Judgment: 11th August 2009

J U D G M E N T

1. Following a trial lasting 2½ days, the assessors have returned with a mixed verdict, on both counts. Assessor no.1 has found the accused guilty as charged on both counts, while Assessor no. 2

and 3 have found the accused not guilty as charged on both counts.

2. I have reviewed the evidence called in the trial, and I have directed myself in accordance with the summing up I gave the assessors. I find the verdict of the majority, and the minority, was not perverse. It was open to them to reach such conclusion on the evidence.
3. However, I accept the majority verdict. I therefore find the accused not guilty as charged on both counts. I acquit him accordingly.

[Salesi Temo]

ACTING JUDGE

AT Suva

11th August 2009