

IN THE HIGH COURT OF FIJI
AT SUVA
CRIMINAL JURISDICTION
CRIMINAL CASE NO. HAC 287 OF 2015S

STATE

vs

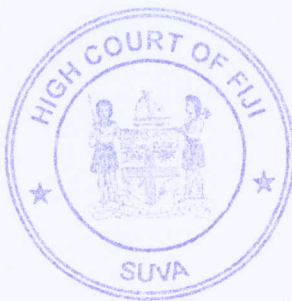
ACURA QARANIVALU

Counsels : **Mr. M. Vosawale and Mr. E. Samisoni for State**
Accused in Person
Hearings : **29 May, 1, 2, and 5 June, 2017**
Summing Up : **6 June, 2017**
Judgment : **6 June, 2017**

JUDGMENT

1. The three assessors had returned with a unanimous opinion finding the accused guilty as charged.
2. Obviously, the assessors had accepted the prosecution's version of events. That meant they had accepted the prosecution's witnesses' evidence as credible.
3. It also meant they had rejected the accused's version of events and had found him and his witnesses not credible.
4. Assessors are there to assist the trial judge come to a decision on whether or not the accused was guilty as charged.

5. I had reviewed the evidence called in the trial. I have directed myself in accordance with the Summing Up I gave the assessors today.
6. The assessors' opinions were not perverse. It was open to them to reach such conclusion on the evidence.
7. I agree with the three assessors' unanimous opinion that the accused was guilty as charged. I find all the prosecution's witnesses' evidence credible and I accept them. I reject the accused's sworn denials. In my view, he gave his confession voluntarily to the police and they were made with his own free will. I also find that his confession were true.
8. On the evidence, I find, as a matter of fact that, the accused unlawfully cultivated cannabis sativa plants weighing 11 kilogram at Kadavu on 3.1.12 and he had no lawful authority to do so.
9. Given the above, I find the accused guilty as charged and I convict him accordingly.
10. Assessors thanked and released.



Salesi Temo
JUDGE

Solicitor for State : Office of the Director of Public Prosecution, Suva
Solicitor for Accused : Accused in Person