

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

LAUTOKA CRIMINAL CASE NO. HAC 015 OF 2013L

STATE

vs

SUDESH MANI NAIDU

Counsels : **Mr. Y. Prasad and Ms. S. Kiran for State**
Mr. S. Waqainabete and Ms. S. Ratu for Accused

Hearings : **16, 17, 21 to 23 February, 2017**

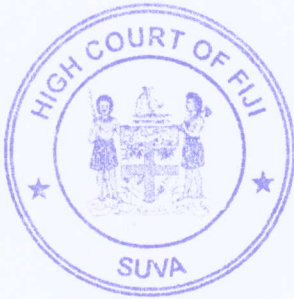
Summing Up : **24 February, 2017**

Judgment : **24 February 2017**

JUDGMENT

1. The 3 assessors had returned with a unanimous decision finding the accused not guilty as charged on both counts of Murder and Robbery.
2. They have obviously rejected the prosecution's version of events. They do not accept the prosecution's witnesses' evidence.
3. The assessors are there to assist the trial judge. They only offer their opinions. It is not binding on the trial judge.
4. The final decision on the guilt or otherwise of the accused rests with the trial judge alone.
5. On the evidence, I will not accept the unanimous opinions of the assessors. On the evidence, I find the accused guilty as charged on both counts and I convict him accordingly on those counts.
6. Adjourned 27.02.2017 for the court to give its written reasons.

7. Assessors thanked and released.




Salesi Temo
JUDGE

Solicitor for State : Office of the Director of Public Prosecution, Lautoka
Solicitor for Accused : Legal Aid Commission, Suva.