

IN THE COURT OF APPEAL
[On Appeal from the Magistrate's Court]

Crim. Appeal No. AAU0034(B) of 2013
[Nasinu MC Case No. 483 of 2012]

BETWEEN : **ERONI QIO**

Appellant

AND : **THE STATE**

Respondent

Coram : Hon. Mr. Justice Goundar

Counsel : Appellant in person
Ms P. Madanavosa for State

Date of hearing : 22 July 2014

Date of ruling : 25 July 2014

RULING

- [1] The appellant was charged with indecent assault and aggravated robbery. His application for bail was refused by the Magistrates' Court exercising extended jurisdiction of the High Court.
- [2] The appellant filed an appeal to this Court against the refusal of bail. While this appeal was pending, the appellant was tried and acquitted of the charges. In these circumstances, the question of bail pending trial is now academic. The appeal cannot possibly succeed and is frivolous.

[3] The appeal is dismissed under section 35(2) of the Court of Appeal Act.



A handwritten signature in black ink, appearing to read "D. Goundar", is written above a dotted line.

Hon. Justice D. Goundar
JUDGE OF APPEAL

At Suva
25 July 2014

Solicitors:
Appellant in person
Office of the Director of Public Prosecutions for State