

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO. HAC 052 OF 2013S

STATE

VS

SAILASA MOCIU

Counsels : **Mr. Y. Prasad and Ms. V. Prasad for the State**
Mr. T. Tawake and Ms. P. Chand for Accused

Hearings : **27 to 30 October and 3 November, 2014**

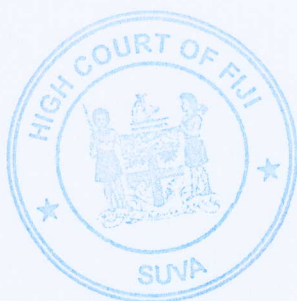
Summing Up : **4 November, 2014**

Judgment : **4 November, 2014**

JUDGMENT

1. The three assessors have returned with a unanimous guilty verdict against the accused for murdering his wife on 9 January 2013.
2. Obviously, the three assessors have accepted the prosecution's version of events. They have found that the accused, by stabbing his wife on the right shoulder, at the material time, caused her death, and he had the intention to kill her, at the time.
3. I have directed myself in accordance with the Summing Up I gave the assessors today.
4. I have reviewed the evidence called during the trial.
5. The unanimous verdict of the three assessors was not perverse. It was open to them to reach such conclusion on the evidence.

6. Assessors are there to assist the trial judge come to a conclusion on the guilt or otherwise of the accused. I accept the unanimous verdict of the three assessors. After looking and considering all the evidence, I find that the accused, when he stabbed his wife to death on 9 January 2013, did so with the necessary intention to kill. I accept the prosecution's witnesses' evidence. In my view, they are credible.
7. Given the above, I find the accused guilty as charged and I convict him accordingly.
8. Assessors thanked and released.



Salesi Temo
JUDGE

Solicitor for the State
Solicitor for the Accused

:
:

Office of the Director of Public Prosecution, Suva.
Legal Aid Commission, Suva.