

IN THE HIGH COURT OF FIJI
CRIMINAL JURISDICTION
AT LAUTOKA

CRIMINAL CASE: HAC 57 OF 2017

BETWEEN : STATE

AND : LAWRENCE PRASAD

Counsel : Ms. S. Naibe for State
: Ms. K. Vulimainadave for Accused

Date of Hearing : 17th – 19th July, 2019

Date of Summing Up : 20th July, 2019

Date of Judgment : 20th July, 2019

J U D G M E N T

- [1] All three assessors have expressed unanimous opinions of guilty in respect of all six charges against the Accused. They have believed and accepted the complainant's evidence of indecent assault on one occasion and of rape on five occasions as true. They have rejected the evidence of motive to fabricate the allegations as untrue.
- [2] The complainant struck me as a truthful witness. I believe her account that the Accused unlawfully and indecently touched her breasts and private parts in October 2016 and raped her, that is, penetrated her vagina with his penis without her consent and knowing she did not consent on five occasions between December 2016 and January 2017. The prosecution has satisfied the guilt of the Accused beyond reasonable doubt.
- [3] The court's verdict is as follows:
- Count 1 - Indecent assault - Guilty as charged.

Count 2	-	Rape	-	Guilty as charged.
Count 3	-	Rape	-	Guilty as charged.
Count 4	-	Rape	-	Guilty as charged.
Count 5	-	Rape	-	Guilty as charged.
Count 6	-	Rape	-	Guilty as charged.



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Hon. Mr Justice Daniel Goundar

Solicitors:

Office of the Director of Public Prosecutions for the State
Legal Aid Commission for the Accused