

**IN THE EFATE ISLAND COURT
OF THE REPUBLIC OF VANUATU**
(Criminal Jurisdiction)

Case No. 18/264 IC/CRML

BETWEEN: Public Prosecutor
Claimant

AND: Rexon Viranamanga
Defendant

Date of Hearing: Monday 23/10/2017 & 19/02/2018 at 2:35 pm
Date of Judgement: Monday 19th day of February 2018 at 3:48 pm
Venue: Efate Island Court – Court-Room, Joint-Court Onto, Port-Vila
Before: Justice Roy Tining (Presiding Justice)
Justice Lutu Sakita (Member)
Justice Francis Aru (Member)

Island Court Clerk: Alida Tchivi

In Attendance: Claimant – Public Prosecutor represented by Gloria Charley
Defendant – Rexon Viranamanga

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JUDGMENT

Court hemi chargem Rexon Viranamanga long offence blong FAILURE TO MAINTAIN FAMILY we hemi againsem Section 1(a) long Family Maintenance Act [Cap 42].

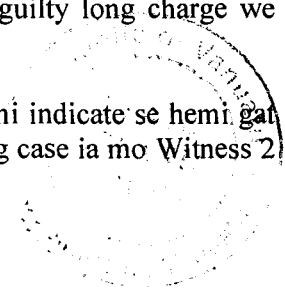
Long 23rd October 2017, Island Court ie bin kolem case ia blong 1st hearing. Tugeta parties ie bin present long Court long time ia.

Court clerk hemi readimaot “Particulars blong Wrong” we ie stap long charge sheet blong Prosecutor se : Samtaem long manis blong October 2017 kasem January 2018, defendant ia hemi bin fail blong maintenem legal wife blong hem, Mrs Susan Viranamanga mo tufala pikinini blong tufala we hemi Freddy mo Francesca Viranamanga we oli no reachim age blong 18 yia yet.

Defendant ia Rexon Viranamanga hemi ‘pleads not guilty’ long charge we ie stap againsem hem. From reason ia, Island Court hemi adjournem case ia ie go long wan narafala date mo time blong matter ia ie go long Trial.

Long Monday 19th February, 2018 long 2.30pm long afternoon, Island Court ie kolem case ia bageken. Tugeta parties ie bin present long time ia. Public Prosecutor ie present long court wetem tufala witnesses blong hem. Defendant ia hemi still maintenem position blong hem se hemi no guilty long charge we Public Prosecutor ie filem againsem hem. From reason ia, matter ie go long Trial.

Defendant hemi admitim long Court se hemi nogat witness. Public Prosecutor hemi indicate se hemi gat two witness; Witness 1 hemi Susan Viranamanga wei hemi olsem complainant long case ia mo Witness 2



hemi Mathew Andrea. Susan Viranamanga hemi bon long date ia 7th January 1981 mo Mathew Andrea hemi bon long 20th May 1981.

After wei court ie harem mo considerem olgeta verbal evidences mo trifala exhibits markem olsem "Exhibits A1; Exhibits A2; Exhibits A3" from tufala witnesses blong Public Prosecutor mo bageken after we court hemi harem mo considerem witness statement blong defendant hemwan;

Court ie faenemaot se Defendant ia hemi Guilty long charge we Public Prosecutor ie filem againsem hem hemia FAILURE TO MAINTAIN FAMILY we hemi againsem Section 1(a) blong Family Maintenance Act [Cap 42].

Before Court ia ie mekem order blong hem long matter we ie stap, follem Section 2 blong Family Maintenance Act [Cap 42], Public Prosecutor ie mekem application blong 'ORDER TO MAINTAIN FAMILY' we hemi read olsem : "*Section 2 : Where a man is convicted under the provision of section 1 the court may in such manner as it may think fit order him to make adequate provision for his wife or children being under the age of 18 years.*"


Court hemi grandem application blong Prosecutor we hemi "ORDER TO MAINTAIN FAMILY" follem Section 2 blong Family Maintenance Act [Cap 42].

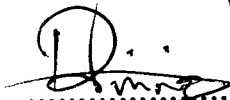
After we Court ie Harem, Readim mo Considerem every toktok blong tufala parties mo olgeta witnesses, olgeta orders blong Efate Island Court ie olsem:

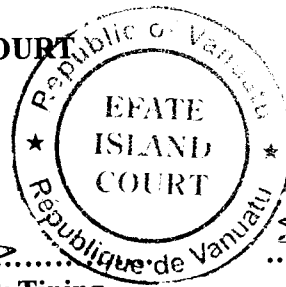
1. Court hemi orderem Raxon Viranamanga, Defendant blong must pem 3'000vt olsem Island Court Fine;
2. Defendant Raxon Viranamanga hemi order blong must pem 1'000vt olsem Prosecution Cost;
3. Every payment bae ie must go stret long Vanuatu Government Cashier before 15th March 2018 mo karem back copy blong payment receipt ie kam long Clerk blong Efate Island Court.
4. Follem Section 2 blong Family Maintenance Act [Cap 42], Court ie orderem Raxon Viranamanga blong must pem 25'000 vatu every manis olsem Maintenance blong Family ie go stret long Westpac Bank Account no. 2000664165 long name blong Viranamanga Taai Antholy Susan.
5. Sapos any party ie no happy wetem judgment blong court ia, party ie gat 30 days right blong appealim judgement ia ie go long Magistrate Court.

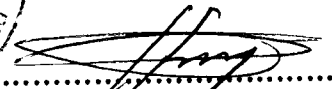
DATED at Port Vila this 19th day of February, 2018.

BY THE COURT


 Justice Lutu Sakita
 (Member)


 Justice Roy Tining
 (Presiding Justice)




 Justice Francis Aru
 (Member)