

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO. HAC 195 OF 2012S

STATE

VS

MANOJ KHERA a.k.a

MANOJ KUMAR

**Counsels : Mr. M. Delaney and Mr. A. Paka for State
Mr. A. Naco for Accused**

Hearings : 22, 23, 24, 25, 28 and 29 July, 2014

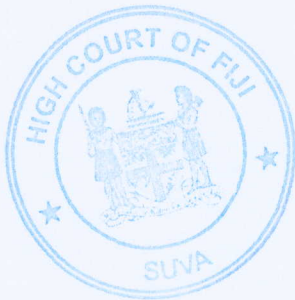
Summing Up : 30 July, 2014

Judgment : 30 July, 2014

JUDGMENT

1. The three assessors have returned with a unanimous verdict finding the Accused guilty as charged on all 5 counts.
2. Obviously, the three assessors have accepted the prosecution's version of events and thereby found the accused guilty as charged on all counts. It would appear to me that they have accepted the prosecution's witnesses' evidence.
3. I have reviewed the evidence called in the trial.
4. I have directed myself in accordance with the Summing Up I gave the assessors today.

5. The verdict of the 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 decision on whether or not the accused is guilty as charged. I accept the three assessors' verdict. I agree with them. I find the prosecution's witnesses' evidence credible and I accept them. I reject the accused's denial as contained in his police caution interview statements. I accept the prosecution's version of events.
7. Given the above, I find the accused guilty as charged on all counts and I convict him accordingly on those counts.
8. Assessors thanked and released.



Salesi Temo
JUDGE

Solicitor for the State : **Office of the Director of Public Prosecution, Suva.**
Solicitor for Accused : **A. Naco, Naco Chambers, Suva.**