

IN THE FIJI COURT OF APPEAL  
Criminal Appeal No. 68 of 1985

Between:

RAM SAMI NAIDU  
s/o Venkat Sami Naidu

Appellant

- and -

R E G I N A M

Respondent

Appellant in Person  
M.D.Scott & B. Singh for the Respondent

Date of Hearing: 21st October, 1985  
Delivery of Judgment: 22nd October, 1985

JUDGMENT OF THE COURT

Roper, J.A.

On the 29th May last the Appellant pleaded guilty to two charges of burglary and three further less serious charges, and was sentenced to an effective term of three years imprisonment. A co-offender had been similarly sentenced at an earlier date and the sentencing Judge saw no reason to differentiate between them. The Appellant does not suggest that the sentence was manifestly excessive in itself, his complaint being that it was made cumulative on a three year sentence he was then serving for burglary. That sentence had been imposed as far back as February 1984 but an unsuccessful appeal had delayed its commencement.

Burglary has become such a widespread problem that it would be folly for this Court to take other than a serious view of it, however we have come to the conclusion that an effective sentence of six years on a 23 year old with no previous convictions of consequence calls for some adjustment, despite the fact that the present offences must have been committed while the Appellant was on bail pending the hearing of the appeal against the earlier conviction.

Leave to appeal is therefore granted and the appeal is allowed to the extent that the terms of three years on each burglary are reduced to two years to be concurrent in themselves but cumulative on the sentence the Appellant was then serving.

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 JUDGE OF APPEAL

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 JUDGE OF APPEAL

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