

IN THE COURT OF APPEAL
[On Appeal from the High Court]

Criminal Appeal No. AAU0024 of 2012
[High Court Case No. HAM 22 of 2012S]

BETWEEN : PAULIASI TEMO

Appellant

AND : THE STATE

Respondent

Coram : Hon. Mr. Justice Goundar

Counsel : Appellant in Person
Ms P. Madanavosa for the Respondent

Date of Hearing : 22 July 2014

Date of Ruling : 25 July 2014

RULING

- [1] The appellant was charged with two counts of rape in the High Court at Suva. He was refused bail pending trial by the High Court. He appealed against the refusal of bail to this Court.
- [2] While this appeal was pending, the appellant was tried and acquitted of the charges. The question of bail in these circumstances is now academic. The appeal cannot possibly succeed and is frivolous.

[3] The appeal is dismissed under section 35(2) of the Court of Appeal Act.



A handwritten signature in black ink, appearing to read "D. Goundar".

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Hon. Justice D. Goundar
JUDGE OF APPEAL

At Suva
25 July 2014

Solicitors:
Appellant in person
Office of the Director of Public Prosecutions for State