

IN THE HIGH COURT OF FIJI
AT SUVA
CRIMINAL JURISDICTION

Criminal Case No. 158 of 2010

BETWEEN

STATE

AND

- 1. FILIPE DELANA**
- 2. SANAILA TABUAVULA**

BEFORE THE HON. MR. JUSTICE P. MADIGAN

Dates of hearing: 14, 15, 16 May 2014

Date of Judgment: 16 May 2014

Counsel: Mr. M. Vosawale with Ms R. Uce for the State
Ms E. Leweni for the First Accused
Mr R. Vananalagi for the Second Accused.

JUDGMENT

FILIPE DELANA and **SANAILA TABUAVULA**, you have been charged with the following offences:

COUNT ONE

Statement of Offence

AGGRAVATED ROBBERY: Contrary to section 311

(1) (b) of the Crimes Decree No. 44 of 2009.

Particulars of Offence

FILIPE DELANA and **SANAILA TABUAVULA** on the 22nd day of July 2010 at Suva, in the Central Division, being armed with armed with an offensive weapon stole a Compac Laptop valued at \$3000.00, assorted perfumes worth \$600.00, Tissot wrist watch valued at \$7000.00, Motorola Mobile Phone valued at \$40.00, cash \$870.00, a gold chain valued at \$4000.00, 3 rings valued at \$1000.00, Citizen wrist watch valued at \$400.00, Alcatel Mobile phone valued at \$199.00, assorted items valued at \$6000.00, ladies gold watch valued at \$500.00, Nokia Mobile phone valued at \$299.99 all to the total value of \$23,908.99 from **AJAY NARAYAN**.

COUNT TWO

Statement of Offence

THEFT OF MOTOR VEHICLE: Contrary to section 291 of the Crimes Decree No. 44 of 2009.

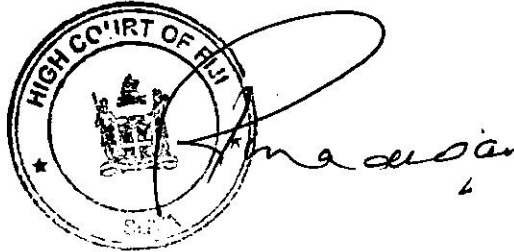
Particulars of Offence

FILIPE DELANA on the 22nd day of July 2010, at Suva, in the Central Division stole vehicle registration number DX110, the property of **PRANIT NARAYAN**.

1. In the unanimous opinion of three assessors you are both found to be guilty of the robbery and you Delana, guilty of the theft.
2. The evidence in this case, once identification is accepted and voluntariness of the 2nd accused caution interview is accepted, is overwhelming. Both victims of the robbery had little hesitation in identifying the first accused and the second accused had made admissions to the robbery in his caution interview.
3. In directing myself on my own summing up and in giving weight to the assessors' opinions, I agree with the assessors and find you

both guilty of the robbery and you Delana guilty of the theft. You are both convicted accordingly.

4. That is the judgment of the Court



**P.K. Madigan
Judge.**

At Suva
16 May 2014