

IN THE HIGH COURT OF FIJI
AT SUVA
MISCELLANEOUS JURISDICTION

CRIM.MISC.CASE NO: HAM 114/2014

BETWEEN : TUTUNISAU CAUCAU
APPLICANT

AND : THE STATE
RESPONDENT

COUNSEL : Applicant in Person
Mr Y Prasad for the State

Date of Hearing : 07/08/2014

Date of Ruling : 18/09/2014

RULING

[01] The applicant Tutunisau Caucau had applied for bail pending trial the fifth time.

[02] The applicant has been charged for Rape contrary to Section 207(1) and (2)(a) of the Crimes Decree No: 44 of 2009.

[03] The Applicant has previously applied for Bail four times and this court dismissed all the applications.

[04] Now the Applicant has filed another bail application and asks for bail.

[05] Section 30(7) provides “a court which has the power to review a bail determination or to hear fresh application under Section 14(1) may if not satisfied that there are special facts or circumstances that justify a review or making of a fresh application, refuse to hear the review or the application”.

[06] As no new grounds or circumstances advanced by the Applicant, I dismiss this application.

[07] Applicant has 30 days to Appeal.



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P Kumararatnam

JUDGE

At Suva
18/09/2014