

IN THE MAGISTRATES COURT
OF THE REPUBLIC OF VANUATU
(Criminal Jurisdiction)

Criminal Case No. 25/ 792 MC/CRML

PUBLIC PROSECUTOR

V

JOHAN MULUNRUARU

Date of Sentence: 20 May 2025.

Before: Magistrate Pantutun

In Attendance: Mr. Asang for the Public prosecutor

Defendant: in person

Introduction

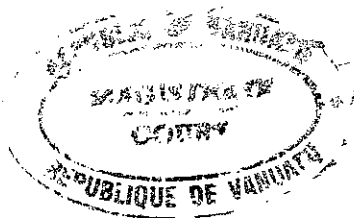
1. Mr. Johan Mulunruaru, you appear before court on 16th May 2025 for plea and you admitted the facts as you answer "I true".
2. You appear today for sentencing after pleaded guilty to one count of intentional assault contrary to section 107(A) of the Penal Code Act Cap 135.
3. Accordingly, based on your guilty plea and own admission, I convicted you guilty on one count of intentional assault contrary to section 107 (a) of penal code.

Brief facts

On 19th May 2023 at Vao Area, North East Malekula, you intentionally assaulted Yavan Telukluk causing no injury to the complainant.

Relevant law and its penalty

4. The offending is in breached of section 107 (a) of the Penal Codde Act Cap 135.
5. It carries a maximum penalty of one (1) year imprisonment.
6. The accepted aggravating factors, Mr Johan Mulunruaru, the offending occur in a public road causing fear to road users, the defendant stop a public transport and intentionally assaulted Mr Yavan Telukluk.



7. I take note of your earlier guilty plea, your personal backgrounds and your remorseful for such action and also realizing the wrong you have done.
8. Therefore, after hearing the brief facts produced by the prosecution, the court is satisfied beyond reasonable doubt that the facts were undisputed and so convicting the defendant.
9. Given the nature of offending, the court order you to pay a fine of 5,000VT and a prosecution cost of 2,000VT.
10. **Reasons for sentencing**
 - (a) This sentencing will send message of deterrence for your action and the like offenders from committing such similar offence.
 - (b) Denounce your action for safety of road users and the community.
 - (c) The sentence will also make you realize the wrong of your action and that there are other peaceful ways to settle dispute or differences instead of intentionally assaulting any person as this is not acceptable behavior
 - (d) This sentence will make you understand that assaulting is not a way of resolving difference but it is an offence under penal code Act.
11. The defendant has 1 month to pay fine of 5000VT and prosecution cost of 2,000Vt.
12. The defendant also has 14 days to appeal from the date of this sentence.

DATED at Port Vila, this 20 DAY OF MAY 2025.

BY THE COURT

