

Statutory rape: Serian man gets 30 years behind bars, 18 lashes

KUCHING: The Sessions Court here sentenced a 28-year-old man to a total of 30 years in prison and 18 strokes of the cane for statutory rape.

Judge Iris Awen Jon convicted the man on his guilty plea to three charges under Section 376(1) of the Penal Code, which carries a maximum 20-year jail term and caning upon conviction.

The court sentenced him to 10 years behind bars and six strokes of the cane for each charge, with the sentences to run consecutively.

He committed the offences in a white single-cab pickup truck at a plantation in Serian on three separate occasions: in February, April, and May.

According to the facts of the case, the mother of the 15-year-old victim was informed by her sister that she had seen the girl by the roadside near an oil palm plantation.

The mother sought confirmation from her daughter, who denied it and locked herself in her room.

Suspecting that her daughter had been raped, the mother lodged a police report, prompting police action and a medical examination of the victim at hospital.

The Obstetrics and

Gynaecology Department of Serian Hospital later confirmed old hymenal tears, consistent with blunt force penetration.

Acting on information received, the police subsequently detained the accused on June 18.

During the investigation, the man admitted having sexual intercourse with the victim, who is his neighbour, on three separate occasions.

It is understood that the man, who is married under customary law, had been in a relationship with the victim for about three years.

In mitigation, the unrepresented man sought leniency, stating that he assists his father with farming and cares for his ailing mother.

However, deputy public prosecutor Chuah Kai Sheng urged for a deterrent sentence, citing public interest and the fact that underage girls are deemed by law incapable of consenting to sexual activity.

The man was also ordered to undergo rehabilitative counselling during his imprisonment and two years of police supervision after release, pursuant to the Sexual Offences Against Children Act 2017.

The investigation was led by Insp Uthman Affan Abdoll Kader.



The man being escorted out from the courtroom after the proceedings.