

**In the name of God the most gracious the most merciful**

**NATIONAL SUPREME COURT  
Criminal Circuit**

Before:

Osman Al Siddiq Ahmed

Head

Abbas Ali Babikir

Member

Aber Al Mahi Abd Al Rahman

Member

**Trial of Mohamed Ishaq Ali Abdullah**  
**No. life imprisonment/3/2016**

**JUDGMENT**

Omdurman Child Court has convicted accused/ Mohamed Ishaq Ali Abdullah, under section 45/b of the Child Act 2010 and sentenced him to twenty years imprisonment and fine equal to five thousands Sudanese pounds to be collected in accordance with section:198 of the Criminal Procedures Act and issued its order to submit the papers to this circuit in accordance with section:181 of the Criminal Procedures Act , and the Court of Appeal has issued its decision No.: #/1125/2015 to uphold the judgment.

Upon perusing the papers, it is revealed that, plaintiff has submitted a petition to the Public Prosecution alleging that, the above accused has committed rape on her daughter Reem who is 8-10 years old at the house of her neighbors at Al Fath area, block 102, whereupon this case has been initiated. We find that the prosecution has submitted sufficient evidence for conviction, which was the testimony of the complainant on oath and the statement of the victim, which is an admissible evidence in this case in addition to the medical report which confirmed the assault around the anus hole, widening and redness thereon, this is further to the confession of accused given during investigation, which is an express confession, in which accused has confirmed that he entered half his penis in the child's anus and then he retracted and denied before the Court, a matter that cannot be taken, as it is not accepted by Sharia Law and is not also allowed by law in crimes other than Hudud crimes and it does not affect the validity of the confession. Therefore, the conviction was sound together with the punishment as prescribed by law.

I believe we shall decide to uphold the judgment.

Osman Al Siddiq Ahmed Tai Allah  
Supreme Court Judge  
14/01/2016

I agree;

Abbas Ali Babikir  
Supreme Court Judge  
17/01/2016

Aber Al Mahi Abd Al Rahman  
Supreme Court Judge  
17/01/2016

Final Order:  
Judgment upheld.

Osman Al Siddiq Ahmed Tai Allah  
Supreme Court Judge  
Head of Circuit  
25/01/2016