

Man acquitted of raping daughter

by Staff reporter

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A Mutare man, who was being accused of raping his seven-year-old daughter, was yesterday acquitted by Rusape regional magistrate Livingstone Chipadze after the State failed to prove a prima facie case against him.

Chipadze told the court yesterday that the mother of the complainant fabricated the rape charges and coaxed her daughter into filing trumped-up rape charges after their relationship had broken down.

He said there was evidence that the seven-year-old complainant's parents were going through serious matrimonial problems.

Chipadze said the complainant's mother tried to manipulate a maid by increasing her pay to falsely testify in court against the man.

The accused was represented by prominent Mutare lawyer Chris Ndlovu.

The court noted that the complainant was a clearly coached witness and her evidence was rehearsed.

"The complainant's mother showed the court that she is clearly a bitter person against the accused and in court did not dispute that her own sister had at one time used or raised false allegations of rape against her husband," the magistrate said.

The complainant's mother was also discredited by the maid as an alcoholic and an

individual who had attempted to manipulate her to falsely testify against the accused.

In the application for discharge at the close of State case, the accused lawyer Ndlovu said the woman attempted to sway the maid, who testified in the matter, to lie to the police that she had heard the complainant screaming in the bedroom.

"She, the complaint's mother had promised a pay increase of \$30 if she falsely testified against the accused, such an unstable and manipulative mother and is capable of doing anything, faced with the prospect of losing custody of the children, she concocted the allegations," he said.

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