

43/72

SUPREME COURT OF VICTORIA — COURT OF CRIMINAL APPEAL

R v BROWN

Smith ACJ, Adam and Starke JJ

8 December 1972

CRIMINAL PROCEEDINGS – ACCUSED CHARGED WITH STOREBREAKING AND STEALING AND FOUND GUILTY – EVIDENCE SHOWED THAT THE ACCUSED HAD A NUMBER OF ARTICLES IN THE BOOT OF HIS MOTOR VEHICLE WHICH MATCHED THE GOODS TAKEN FROM THE STORE – REQUIREMENTS OF THE DOCTRINE OF RECENT POSSESSION – WHERE A JURY IS INVOLVED – ACCUSED'S APPEAL SUCCESSFUL – CONVICTION SET ASIDE AND A NEW TRIAL ORDERED.

[Ed Note: The matters discussed by the Victorian Court of Criminal Appeal in this matter are not relevant to the Magistrates' Court]
