

IN THE COURT OF APPEAL, FIJI
ON APPEAL FROM THE HIGH COURT OF FIJI

CRIMINAL APPEAL AAU 176 OF 2016
(High Court HAM 162 of 2016)

BETWEEN : JOSEFA TALIGA NADRIUBALAVU *Appellant*

AND : THE STATE *Respondent*

Coram : Calanchini P
Chandra JA

Counsel : Appellant in person
Mr M Vosawale for the Respondent

Date of Hearing : 20 November 2017

Date of Ruling : 14 December 2017

RULING


[1] In a bail review Ruling delivered by the High Court at Lautoka on 2 November 2016 the Appellant's application for bail pending trial was refused.

- [2] The Appellant subsequently filed a timely notice of appeal against the bail review Ruling. On 31 March 2017 the Appellant filed an application to abandon his appeal against the bail Ruling pursuant to Rule 39 of the Court of Appeal Rules.
- [3] In accordance with the decision of the Supreme Court in **Masirewa -v- The State** (CAV 14 of 2008; 17 August 2010) the application to abandon the appeal was listed for hearing before the Court of Appeal. At the hearing the appellant advised the Court that his trial had since taken place.
- [4] Under the circumstances the application to abandon the appeal against the bail Ruling is granted and the appeal is dismissed.

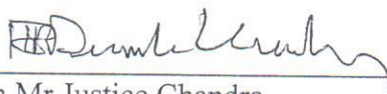
Orders:

Appeal against the bail Ruling is dismissed.





Hon Mr Justice Calanchini
President, Court of Appeal



Hon Mr Justice Chandra
Justice of Appeal