

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

CRIMINAL APPEAL AAU 161 OF 2016
(High Court HAC 2 of 2014)

BETWEEN : TIMOCI NAULU *Appellant*

AND : FIJI INDEPENDENT COMMISSION
AGAINST CORRUPTION *Respondent*

Coram : Calanchini P

Counsel : Mr E Maopa for the Appellant
Ms F Puleiwai for the Respondent

Date of Hearing : 24 April 2018

Date of Ruling : 25 June 2018

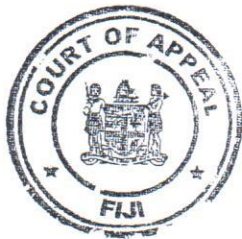
RULING

[1] In a Ruling delivered on 31 May 2018 the appellant was granted leave to appeal against conviction and against sentence on grounds 8 and 10 of his proposed notice of appeal.

[2] On 26 September 2017 the appellant had filed an application for bail pending appeal. The application was supported by an affidavit sworn on 21 September 2017 by Timoci Naulu. The principles that are considered in an application for bail pending appeal were fully discussed in the decision of Zhong -v- The State [2014] FJCA 108; AAU 41 of 2013, 15 July 2014. In the affidavit the only factual matter upon which the appellant relies on as exceptional circumstances is what he refers to as the appeal having a very high likelihood of success. In my judgment I do not consider that the grounds of appeal satisfy the threshold requirement of exceptional circumstances. The application for bail pending appeal is refused.

Order:

Application for bail pending appeal is refused.



W. Calanchini

Hon Mr Justice Calanchini
PRESIDENT, COURT OF APPEAL