



HIGH COURT OF KIRIBATI

Criminal Case No 13/2018

THE REPUBLIC

v


KIRENNANG TOKITEBA

*Pauline Beiatou, Director of Public Prosecutions, for the Republic
Elsie Karakaua for the accused*

FILE NOTE

- [1] By information filed on 29 January 2018, the accused was charged with 1 count of conveying persons by water for hire in an unsafe or overloaded vessel, contrary to section 235 of the *Penal Code* (Cap.67).
- [2] On 24 April, when the matter was called on before the Chief Justice, he accepted an oral request from the Republic that the information be withdrawn. While not expressly referred to as such, I understand this to have been the entry by the Attorney-General of a *nolle prosequi* under section 68(1) of the *Criminal Procedure Code* (Cap.17).
- [3] As the only information before this Court has been withdrawn, without the substitution of a fresh information, the accused has been discharged and this matter is at an end. Counsel for the accused asked for an order directed to the Police for the release of her client's passport. I declined to make such an order, given that the passport was not being held by order of this Court.
- [4] This file is to be closed.

Dated 16 July 2018.


Lambourne J
Judge of the High Court

