



HIGH COURT OF KIRIBATI

Criminal Case No 5/2018

THE REPUBLIC

v

KABUATI TEKAAI

*Ateti Tekawa for the Republic
Tabibiri Tentau for the accused*

FILE NOTE

- [1] By information filed on 27 December 2017, the accused was charged with 1 count of defilement of a girl under the age of 13 years, contrary to section 134(1) of the *Penal Code* (Cap.67).
- [2] That information did not comply with section 70 of the *Criminal Procedure Code*, and a fresh information (in the same terms) was filed by the Attorney-General on 1 August 2018.
- [3] Counsel for the Republic has today stated in court the Attorney-General's desire to enter a *nolle prosequi* under section 68(1) of the *Criminal Procedure Code*.
- [4] The accused is accordingly discharged.
- [5] This file is to be closed.

Dated 5 December 2018.


Lambourne J
Judge of the High Court

