

**TIMOTHY TAGATUBUA -V- REGINA**

**HIGH COURT OF SOLOMON ISLANDS**

*Criminal Case No. 112 of 2010*

**Date of Hearing:** 28<sup>th</sup> April 2010

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*For Applicant: Mr Anderson Kesaka*

*For Respondent: Mrs Rachel Olitimayin*

**RULING**

**FAUKONA, J:**

1. This is an application for bail on behalf of the Applicant who is currently in custody.
2. According to his own affidavit, the Applicant said he was charged with one count of murder. On 2<sup>nd</sup> of November 2009 he called in person at Tetere Police Station to submit to Police authority after learning that Police was looking for him. This was following the death of a child Grey Pego.
3. On 2<sup>nd</sup> November 2009, the Applicant was arrested and subsequently placed in custody until this application.
4. The Crown did not object to the application but reiterated that a stringent conditions be imposed.
5. The Crown then proposes a number of strict conditions to impose, which the Counsel for Defence agrees on.
6. It appears, since no arguments advance by both Counsels for the grant of bail, it apparently indicate the grant of bail is a matter Counsels have finally consented to. This Court therefore Grant bail as applied for, however with strict conditions.

**ORDER**

1. Applicant is granted Cash bail in the sum of \$2,000.00.
2. Applicant to reside with Daniel Sande at All Saint Church in Honiara.
3. Applicant to remain in the vicinity of Honiara township and not to travel beyond Luggan river and Whiteriver river.
4. Applicant not to interfere or approach crown witnesses.
5. The applicant to report to Central Police Station 2 days a week, Monday and Friday between the hours of 8:00 am and 4:00 pm.
6. Order Curfew to remain in Daniel Sande's residence between the hours of 6:00 pm and 6:00 am, 7 days a week.
7. 3 person namely Daniel Sande, Christoper Ta'alu and June Tagatubua to stand as Sureties in the principle amount of \$1000.00 each.
8. The Crown reserve the right to revoke the grant of bail, should the Applicant breach any condition.

**THE COURT**