



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

JUDICIAL REVIEW APPLICATION NO. 83 OF 2020

IN THE MATTER OF AN APPLICATION FOR LEAVE FOR JUDICIAL REVIEW ORDERS OF PROHIBITION AND CERTIORARI

BETWEEN

CHARLES MBUGUA NJUGUNA.....APPLICANT

VERSUS

DIRECTOR OF PUBLIC PROSECUTIONS.....1ST RESPONDENT

ETHICS AND ANTI-CORRUPTION

COMMISSION.....2ND RESPONDENT

INSPECTOR GENERAL OF THE NATIONAL

POLICE SERVICE.....3RD RESPONDENT

THE ATTORNEY GENERAL.....4TH RESPONDENT

RULING

The Application

1. Charles Mbugua Njuguna (hereinafter “the Applicant”) is an Advocate of this Court, and he is aggrieved by a decision mad on or about 22nd October 2019 by the Director of Public Prosecution, who is the 1st Respondent herein. The said decision sought to institute criminal proceedings against the Applicant in Chief Magistrate’s Anti- Corruption Court Case No. 28 of 2019 for the offence of money laundering.
2. The Applicant has now moved this Court in an application by way of Chamber Summons dated 21st April 2020, seeking orders that the said application be certified urgent, and for leave to apply for judicial review orders of prohibition and certiorari to prohibit and quash the criminal proceedings against him in the Chief Magistrate’s Anti- Corruption Court Case No. 28 of 2019. The Applicant also seeks orders that the said leave operate as a stay of the impugned proceedings, and that the costs of the application be provided for. The application is supported by the Applicant’s Statutory Statement dated 21st April 2020, and a verifying affidavit sworn on the same date by the Applicant.
3. I have perused the Chamber Summons and supporting documents, and note that the Applicant is seeking leave to bring orders in relation to proceedings in the Chief Magistrate’s Anti- Corruption Court in Nairobi, which is under the supervisory jurisdiction of the Anti-Corruption and Economic Crimes Division of the High Court.
4. In the premises I direct and orders that this suit be and is hereby transferred to the Anti-Corruption and Economic Crimes Division of the High Court at Nairobi for further hearing and determination. The Applicant’s Chamber Summons dated 21st April 2020 shall accordingly be placed before the **Duty Judge** at the **Anti- Corruption and Economic Crimes Division of the High Court at Nairobi** on **23rd April 2020**, for directions.
5. The Deputy Registrar of this Court shall send a copy of this ruling by electronic mail to the Applicant, and to the Deputy Registrar of the Anti-Corruption and Economic Crimes Division of the High Court at Nairobi, by close of business today.
6. Orders accordingly.

DATED AND SIGNED AT NAIROBI THIS 22ND DAY OF APRIL 2020

P. NYAMWEYA

JUDGE