

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

MISC. CRIMINAL APPLICATION NO.741 OF 2002

HILLFARM FRESH PRODUCE LIMITED APPLICANT
VERSUS
REPUBLIC RESPONDENT

RULING

The applicant Hillfarm Fresh Produce Limited applied to this court seeking to have an order issued in C.M.C.C Misc. Application number 466/2002 which order freeze account No.7082283 at Barclays Bank of Kenya Moi Avenue be set aside. The applicant joined the Attorney General and the Commissioner of Police as Respondents to the application. The Attorney General did not oppose the application because the Applicant was not given an opportunity to contest the freezing orders.

After careful considerations of the application coupled with the fact that the same is not opposed. I allow this application as framed.

I therefore order that the order issued in Misc. Application No.466/2002 (before the Chief Magistrate Nairobi) be and is hereby set aside. I also order that account No.7082283 at Barclays Bank Moi Avenue Nairobi should be allowed to operate freely. The order freezing the said account is hereby set aside accordingly.

Orders accordingly.

R.M. MUTITU
29/8/2002

**Delivered in open court. In the presence of Miss Nyamosi for State
and Mr. Muriuki for the Applicant.**

R.M. MUTITU
JUDGE
29/8/2002