



Quresh & another v Director of Criminal Investigations & 2 others; Treadsetters Tyres Limited & another (Interested Parties) (Miscellaneous Application E073 of 2024) [2024] KEHC 4567 (KLR) (Crim) (15 April 2024) (Ruling)

Neutral citation: [2024] KEHC 4567 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL
MISCELLANEOUS APPLICATION E073 OF 2024
LN MUTENDE, J
APRIL 15, 2024**

BETWEEN

MOHAMED ADAN QURESH 1ST APPLICANT

NAZARETH GROUP OF COMPANIES LTD 2ND APPLICANT

AND

DIRECTOR OF CRIMINAL INVESTIGATIONS 1ST RESPONDENT

INSPECTOR GENERAL OF POLICE 2ND RESPONDENT

DIRECTOR OF PUBLIC PROSECUTIONS 3RD RESPONDENT

AND

TREADSETTERS TYRES LIMITED INTERESTED PARTY

MOHAMED ZESHAN SAROYA INTERESTED PARTY

RULING

1. Through a Notice of Motion dated 7th March, 2024 the applicant Mohamed Adan Quresh seeks an order admitting him to anticipatory bail pending arrest or charging on such reasonable terms as the court may deem fit to impose in the circumstances.
2. The basis of the application is that the respondents are aiding the Interested Party to recover a debt from him yet the matter is commercial in nature which has been determine by a commercial court and payment terms entered per an agreement and even post dated cheques issued.
3. Directions as to service of the application were given on 12th March, 2024.



4. On 19th March, 2024 the applicant filed a Notice of withdrawal of the matter in its entirety. There being no objection to the withdrawal, the application stands withdrawn as prayed and the file is accordingly closed.

5. It is so ordered.

DATED, SIGNED AND DELIVERED VIRTUALLY THROUGH MICROSOFT TEAMS AT NAIROBI, THIS 15TH DAY OF APRIL, 2024.

L. N. MUTENDE

JUDGE

In the presence of:

Ms. Wafula for ODPP

Court Assistant - Gladys

