



REPUBLIC OF KENYA



Ndung'u v Inspector General of Police & 2 others (Miscellaneous Case E207 of 2023) [2023] KEHC 18378 (KLR) (Crim) (13 June 2023) (Ruling)

Neutral citation: [2023] KEHC 18378 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CRIMINAL

MISCELLANEOUS CASE E207 OF 2023

DR KAVEDZA, J

JUNE 13, 2023

BETWEEN

DAVID WANGAI NDUNG'U APPLICANT

AND

INSPECTOR GENERAL OF POLICE 1ST RESPONDENT

DIRECTOR OF CRIMINAL INVESTIGATIONS 2ND RESPONDENT

DIRECTOR OF PUBLIC PROSECUTION 3RD RESPONDENT

RULING

1. The applicant David Wangai Ndung'u has filed a Certificate of Urgency dated June 5, 2023 supported by an affidavit of even date seeking an order of anticipatory bail restraining the respondents, their servants, agents, junior officers and/or anybody from arresting him.
2. I however note that the certificate of urgency is not anchored on any application. It is trite law that an application of this nature must be instituted through a notice of motion. The application before me is thus fatally defective and I am therefore unable to grant the orders sought vide the certificate of urgency and proceed to strike out the same.

It is so ordered.

RULING DELIVERED VIRTUALLY ON 13TH DAY OF JUNE, 2023

D. KAVEDZA

JUDGE

