

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

CRIMINAL DIVISION

MISC. CRIMINAL APPLICATION NO.57 OF 2018

MIGUNA MIGUNA.....APPLICANT

-VERSUS-

THE DIRECTOR OF PUBLIC PROSECUTIONS.....1STRESPONDENT

THE DIRECTOR OF CRIMINAL INVESTIGATIONS.....2NDRESPONDENT

THE INSPECTOR GENERAL OF POLICE.....3RDRESPONDENT

RULING

It is apparent that the 2nd and 3rd Respondents are in contempt of the orders of this court. They have refused or failed to surrender the Applicant to this court so that he can be released in terms of the orders of the court issued today. It is clear that unless this court takes appropriate remedial action, the 2nd and 3rd Respondents will continue to treat the orders of this court with impunity. In the premises therefore, the 2nd and 3rd Respondents must produce the Applicant before this court by 11.00 a.m. on 7th February 2018. To avoid any mischief and further disobedience of the orders of the court, this court hereby suspends any criminal proceedings against the Applicant in any court in the Republic of Kenya until the 2nd and 3rd Respondents abide by the orders of this court to produce the Applicant before this court. The Director of Public Prosecutions shall notify the Director of Criminal Investigations, Mr. George Kinoti and Mr. Said, the Officer In-Charge Flying Squad to personally avail the Applicant before this court unless they release the Applicant to the custody of this court before 11.00 a.m. on 7th February 2018. Mention at 11.00 a.m. on 7th February 2018 for further orders.

DATED AT NAIROBI THIS 6TH DAY OF FEBRUARY 2018

L. KIMARU

JUDGE