

**IN THE HIGH COURT OF MALAWI**  
**LILONGWE DISTRICT REGISTRY**  
**MISC. APPLICATION CASE NO. 53 OF 2008**

**BETWEEN**

**JIMU PHIRI ..... APPLICANT**

**AND**

**THE REPUBLIC ..... RESPONDENT**

**CORAM : CHOMBO, J.**

: Kalasa, Counsel for the Applicant

: State, unrepresented

: Kafotokoza, Court Interpreter

**RULING**

The application for bail was heard in the absence of a representative from the State despite service being effected. The absence of an affidavit opposing the application by the State was further evidence that the State had no intentions to oppose the application.

The applicant has been in custody since 2006 and has not been dealt with as required by law. As the State has shown no reasons for the continued detention I will grant bail on the following conditions:

The applicant must:

1. pay bail of K5,000.00 cash into Court before being released.
2. produce 2 sureties each surety to be bonded in the sum of K5,000.00 not cash.
3. surrender passport, if any, or documents of travel and not to leave the country without the written authority of Police Headquarters in Lilongwe.
4. once on bail, report to Dedza Police Station once every fortnight on a Wednesday before 12.00 noon except if he is required to report to Court on the same day.

The said sureties are to be examined by the Registrar within 21 days of this order on a date and time to be fixed by him.

**MADE** in Chambers this 16<sup>th</sup> day of May, 2008.

E.J. Chombo

**J U D G E**