

IN THE HIGH COURT OF MALAWI  
PRINCIPAL REGISTRY  
CIVIL CAUSE NUMBER 718 1994



BETWEEN:

LAZARO KALIMA ..... PLAINTIFF

and

ATTORNEY GENERAL ..... DEFENDANT

CORAM: E.B. TWEA, REGISTRAR  
Mhango, Counsel for the Plaintiff  
Defendant/Counsel absent

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RULING

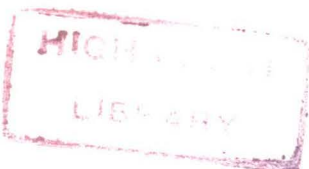
The plaintiff informed this court that he was imprisoned on issues concerning money and was released on 28 April, 1992. Upon his release, Police kept him in custody on allegation of dealing with some administrative matter. He was in custody until 11 December 1993. He now claims damages for false imprisonment.

I must mention on the outset that the plaintiff did appear to this court to be of such mental capacity as would not be able to give firm back dates and his memory was not very good.

It was his evidence, however, that in the course of his imprisonment he was being moved from prison to prison and that the State ensured that he did not meet the International Committee of the Red Cross which was conducting prison visits.

He was subject to degrading treatment including search of his anal cavity for hidden objects. He now claims damages.

I have heard the plaintiff and his counsel: who did not wish to raise any issues in submission, than refer this court to civil cause number 719 of 1994. I have examined the said record and there is no ruling save the agreement by parties at a settlement. There is no such thing here.



I will, having regard to his status in life, grant him K62,000 damages for false imprisonment for 8 months. Costs to the plaintiff.

PRONOUNCED IN CHAMBERS this 15th day of August 1996, at Blantyre.



E.B. Twea  
REGISTRAR