

POLICE

v

TEHANANAIA MAEVA

Date: 21 March 2019
Counsel: Senior Sergeant Tararo for the Police
Mr N George for the Defendant
Sentence: 21 March 2019

DECISION ON BAIL OF HUGH WILLIAMS, CJ

[11:42:58]

[1] Tehananaia Ngatokoroa Zachariah Haas Maeva, you have been charged with two counts of possession of drugs, namely methamphetamine and cannabis.

[2] According to the Senior Sergeant this is the first time methamphetamine has come before the Courts in the Cook Islands.

[3] The term of your alleged offending is that it took place between 11 and 19 March 2019 and the investigation is still in a relatively early stage.

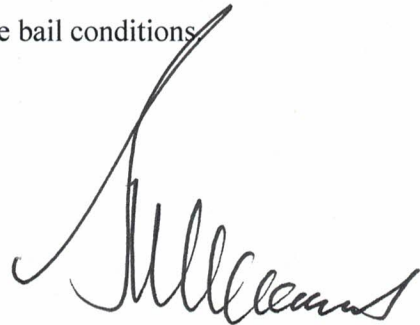
[4] Senior Sergeant Tararo suggests that the amount of methamphetamine seized may have been 5.9 grams but there is evidence of slightly higher amounts as well, which suggests that, if the charge were proved, it would be more likely to be personal use, although if a higher amount is ultimately proved there could be an element of commerciality.

[5] Anyway, at this stage the investigation is at a very early point and the important point is to recognize that you benefit from the presumption of innocence and, subject to the Court's discretion, you are entitled to bail.

[6] I will remand you to 2 May 2019 as your next appearance. You will be admitted to bail on the basis that:

- (a) you surrender your passport and do not apply for any new passport;
- (b) you do not approach any witness or anyone else involved in the matter or impede the investigation in any fashion;
- (c) you do not engage in the possession or use of illicit drugs;
- (d) you are subject to a curfew between 7pm and 6am, the termination time been chosen to enable you to get to your work as a driver for Heathers;
- (e) you do not leave Rarotonga without the permission of the High Court – you are probably unable to anyway because you will not have a passport; and
- (f) you continue to reside at your current address in Titikaveka, next door to your mother.

[7] Your mother, who is present, has indicated she is prepared to sign the bail bond as a guarantor of your compliance with the bail conditions.

A handwritten signature in black ink, appearing to read 'Hugh Williams', written in a cursive style. The signature is positioned above a horizontal line.

Hugh Williams, CJ