



HIGH COURT OF KIRIBATI

Criminal Case N° 23/2016

THE REPUBLIC

v

TUNGARU BINOKATAU

Teanneki Nemta for the Republic
Mantaia Kaongotao for the accused

FILE NOTE

- [1] By information filed on 4 March 2016, the accused was charged with 1 count of incest by a man, contrary to section 156(1) of the *Penal Code* (Cap.67).
- [2] That information did not comply with section 70 of the *Criminal Procedure Code*, and the Attorney-General filed a fresh information on 30 October 2018. On 16 November counsel for the accused advised that his client intended to plead not guilty, and the matter was fixed for hearing today.
- [3] Counsel for the Republic has now stated in court the Attorney-General's desire to enter a *nolle prosequi* under section 68(1) of the *Criminal Procedure Code*.
- [4] The accused is accordingly discharged.
- [5] This file is to be closed.

Dated 6 May 2019.


Lambourne J

Judge of the High Court

