IN THE HIGH COURT OF FIJI

AT SUVA

HBM 064 OF 2020

BETWEEN

PENI FATAI

RUSIATE BULA

ILIESA TUI

JOSAIA TADULALA

ANIL CHAND

TIMOCI MATAINADROGA

PENI NAVU

RICHARD LOGANIMOCE

SEMI WAQA

LUKE NASETAVA

AIYAZ ZACK ALI

RUSIATE VULA

SHAZRAN LATEEF

AND

STATE

Date of Order

25 March 2020

ORDER

- [1] This is a joint application for constitutional redress by thirteen remandees at the Suva Remand Centre seeking a release from custody on the ground that their health, safety and life is at risk due to confirmed cases of Covid-19 in Fiji.
- [2] The applicants are in custody on remand under lawful orders of the courts after they were refused bail. They can renew their applications for bail on the basis of special facts or circumstances.

- [3] It is an abuse of the court process to seek release from custody using the constitutional redress procedure when the applicants have a specific remedy under the Bail Act.
- [4] The High Court has inherent power to prevent an abuse of the court process. The application is summarily dismissed for an abuse of the court process.



Daniel Goundar

JUDGE