



## HIGH COURT OF KIRIBATI

*Criminal Case No 73/2016*

**THE REPUBLIC**

**v**

**TEEKEA TAABWAI**

*Tewia Tawiita, Senior State Attorney, for the Republic  
Mantaia Kaongotao for the accused*

### **FILE NOTE**

- [1] By information filed on 11 August 2016, the accused was charged with 6 offences: 1 count of rape, contrary to section 129 of the *Penal Code*; 1 count of causing grievous harm, contrary to section 220 of the *Penal Code*; 1 count of buggery, contrary to section 153(a) of the *Penal Code*; 2 counts of common assault, contrary to section 237 of the *Penal Code*; and 1 count of committing a domestic violence offence, contrary to section 33(1)(a) of *Te Rau n Te Mweenga Act 2014*.
- [2] The information did not comply with section 70 of the *Criminal Procedure Code*. When the matter came on for trial this morning, counsel for the prosecution was not in a position to file a valid information. Furthermore, she indicated that the complainant was unwilling to testify, as she and the accused had reconciled.
- [3] There being no valid information, this matter is struck out and the accused is discharged.
- [4] This file is to be closed.

Dated 17 December 2018.

  
**Lambourne J**  
Judge of the High Court

