



REPUBLIC OF NAURU

IN THE SUPREME COURT OF NAURU
AT YAREN
CRIMINAL JURISDICTION

Criminal Case 15 of 2018

Between

THE REPUBLIC OF NAURU

And

GRANDELL TANNANG

Before:

Chief Justice Filimone Jitoko

For the Prosecution:

F. Lacanivalu

For the Accused:

R. Tangivakatini.

Date of Decision

7 December 2018

DECISION

In its Ruling of 23 October, 2018 the Court refused to grant bail to the defendant who is charged with the rape of a child under 16 years old pursuant to section 116(a) and (b) (i) of the Crimes Act 2016 and alternatively charged with indecent acts under section 117(a), (b), (c) and (i) of the Act. However, the Court directed counsel to make further submissions on what appears to be discordance between

sections 14 and 18 of the Bails Act 2018. This is elaborated in the Appendix to the Courts Ruling.

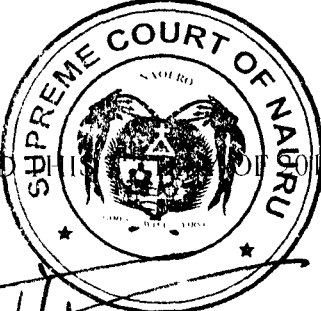
I have considered Counsels submissions on the application and relationship between sections 14(2) and (3) and section 18(4) of the Bail Act.

In the end, I am of the view that the Court has the powers, notwithstanding the limitations made under section 18, to extend the period of adjournment to more than 14 days if it is “satisfied that there are reasonable grounds for a longer period of adjournment and that bail should continue to be refused.” (section 14 (3)).

In this case, there are exceptional and extraordinary circumstances, quite apart from the seriousness of the offence the defendant is charged with, why he should remain on remand.

Order is made confirming that accused remain on remand until 14 January, 2019 and to appear before the court to fix a trial date.

DATED 11th JANUARY 2018



Filimone Jitoko
FILIMONE JITOKO
CHIEF JUSTICE