

IN THE HIGH COURT OF FIJI
AT LAUTOKA
CONSTITUTIONAL REDRESS JURISDICTION

Constitutional Redress Application HBM 31 of 2016

ALEXIO MOLI JR
[Applicant]

vs.

ATTORNEY GENERAL OF FIJI
[1st Respondent]

&

COMMISSIONER OF THE FIJI CORRECTIONS SERVICE
[2nd Respondent]

&

DIRECTOR OF PUBLIC PROSECUTIONS
[3rd Respondent]

&

COMMISSIONER OF POLICE
[4th Respondent]

Date of Ruling : 10 February, 2017

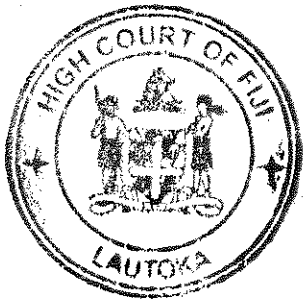
R U L I N G

- [1] By way of Notice of Motion and accompanying Affidavit, the Applicant applies for constitutional redress pursuant to section 44(1) of the Constitution of the Republic of Fiji (“the Constitution”).

- [2] In his affidavit he deposes that in September 2016 he was the victim of an illegal search as well as having been assaulted by Officers of the Sigatoka Police Station.
- [3] In addition he deposes to have been kept in custody for more than 48 hours without being produced in Court.
- [4] The applicant's motion was filed in this Court on the 8th December 2016, more than 60 days after the alleged improprieties.
- [5] Section 3(2) of the High Court (Constitutional Redress) Rules 2015 states as follows:

“(2) An application under paragraph (1) (*an application for redress*) must not be admitted or entertained after 60 days from the date when the matter at issue first arose.”

- [6] This application being out of time, it will not be entertained and it is therefore dismissed.



At Lautoka

10 February, 2017

Paul K. Madigan

Judge