

IN THE DISTRICT COURT OF NAURU
(Criminal Jurisdiction)

CRIMINAL CASE NO. 15 of 2016

BETWEEN:

THE REPUBLIC OF NAURU
Complainant

AND:

MOJTABA SERAJAMADANCE
Defendant

Mr. Filimoi Lacanivalu office of the Public Prosecutions for the defendant

Mr. Ravunimase Tangivakatini for the defendant

Date of Hearing: 8th June 2016

Date of Ruling: 15th June 2016

Ruling

INTRODUCTION

1. The defendant is charged with 1 count of attempted suicide contrary to section 312 of the Criminal Code 1899 and 1 Count of threats to kill contrary to section 359 of the Criminal Code 1899.
2. The defendant has been released on bail by the court on the 30th May 2016 within conditions one of which is that:

"He is to be on a curfew from 6:00 pm to 6:00am"¹
3. He now applies to have his bail condition varied so as to allow him to work at a restaurant which he says he is co-owner with Mr. Adnan Dayri. Mr. Adan Dayri has also filed

¹ Condition (iv) of the bail conditions imposed on the defendant by the court on 30th May 2016

an affidavit in support of the application filed by the defendant for variation of bail.

4. The hours sought to be varied according to the affidavit of the defendant is from 6am pm to 6:00am. The effect the defendant is seeking that the curfew imposed on him by the court be deleted from the conditions imposed on him
5. There is no information provided to the court on how busy the restaurant is so as to warrant the defendants' curfew to be lifted. I am satisfied that suitable arrangements could be made for the defendant to work from the hours of 7:00am till 5pm so as to allow him to comply with his curfew conditions.
6. Application for variation of bail conditions refused

Dated this 15th day of June 2016



Emma Garo
Resident Magistrate

