



0027698

REGISTRAR
CONSTITUTIONAL COURT
10 SEP 2014
P.O. BOX CY 870, CAUSEWAY
ZIMBABWE TEL: 04-798634/5

IN THE CONSTITUTIONAL COURT OF ZIMBABWE

Constitutional Application No. CCZ 115 of 13

In the matter between:

**ELECTION RESOURCE CENTRE
MOSES CHIKORA
WADZANAI PREVIOUS NYAKUDYA
FARAI SAUNGWEME**

**1ST APPLICANT
2ND APPLICANT
3RD APPLICANT
4TH APPLICANT**

and

**PROSECUTOR GENERAL N.O
NATIONAL PROSECUTING AUTHORITY
TENDAI MAHWE N.O**

**1ST RESPONDENT
2ND RESPONDENT
3RD RESPONDENT**

An application in terms of Section 85 (1) of the Constitution of Zimbabwe.

HARARE: Wednesday the 3rd day of September 2014

Before the Honourable **Mr Justice Chidyausiku**, Chief Justice
the Honourable **Mr Justice Malaba**, Deputy Chief Justice
the Honourable **Mrs Justice Ziyambi**, Judge of Appeal
the Honourable **Mrs Justice Gwaunza**, Judge of Appeal
the Honourable **Mr Justice Garwe**, Judge of Appeal
the Honourable **Mrs Justice Gowora**, Judge of Appeal
the Honourable **Mr Justice Hlatshwayo**, Judge of Appeal
the Honourable **Mr Justice Patel**, Judge of Appeal
and the Honourable **Mrs Justice Guvava** Acting Judge of Appeal

Mr *T Maanda*, for the Applicant
Mrs *F Chimbaru*, for the Respondents

WHEREUPON, after reading documents filed of record and hearing counsel,

IT IS ORDERED THAT:

The prosecution of applicants infringes their right to liberty in terms of section 49(1) (b) of the Constitution, there being no reasonable suspicion of their having committed an offence.

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BY THE COURT

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