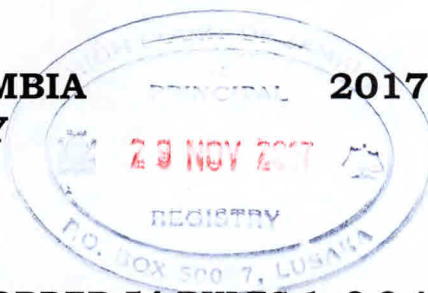


**IN THE HIGH COURT FOR ZAMBIA  
AT THE PRINCIPAL REGISTRY  
HOLDEN AT LUSAKA**

*(Civil Jurisdiction)*



**2017/HP/1778**

IN THE MATTER OF:

**ORDER 54 RULES 1, 2 3 AND 4 OF THE  
RULES OF THE SUPREME COURT**

IN THE MATTER OF:

**ARTICLE 13, 15, 17, 19, 20, 21 AND 23  
OF PART III FOR THE PROTECTION OF  
THE FUNDAMENTAL RIGHTS AND  
FREEDOMS OF THE INDIVIDUAL  
CHAPTER 1 VOLUME 1 OF THE LAWS  
OF ZAMBIA**

IN THE MATTER OF:

**ARTICLE 18 FOR THE PROVISIONS TO  
SECURE PROTECTION OF THE LAW  
CHAPTER 1 VOLUME 1 OF THE LAWS  
OF ZAMBIA**

IN THE MATTER OF:

**FRED HAMAAMBA**

IN THE MATTER OF:

**APPLICATION FOR A WRIT OF HABEAS  
CORPUS AD SUBJCIENDUM**

**B E T W E E N :**

FRED HAMAAMBA

**APPLICANT**

**AND**

ATTORNEY GENERAL

**RESPONDENT**

**Before Honorable Mrs. Justice M. Mapani-Kawimbe in Chambers on the  
29<sup>th</sup> day of November, 2017**

*For the Applicant* : *Mr. Z. Sinkala, Messrs Muleza Mwiimbu & Co.*  
*For the Respondent* : *Mr. C. Mulonda, Ag. Senior State Advocate*

---

**R U L I N G**

---

**Cases Referred To:**

1. *Growley's Case (1818) 2 Sworn 1*
2. *The People v Obvious Summertone Mwaliteta and 4 Others HP/231/2016*
3. *John Chisata and Another v Attorney General S.C.Z. Judgment No. 6 of 1981*

**Legislation Referred To:**

1. *Rules of the Supreme Court 1999*
2. *Constitution of Zambia, Chapter 1 as amended by Act No. 2 of 2016*

**Other Works Referred To:**

1. *Halsbury's Laws of England, 4<sup>th</sup> Edition Volume 2*

This is an application for a Writ of Habeas Corpus *Ad Subjiciendum*. It is filed pursuant to Order 54 Rules 2 and 3 of the Rules of the Supreme Court.

It is supported by an Affidavit sworn by **ZewelANJI Sinkala**, who states that on 8<sup>th</sup> October, 2017, his client, Fred Hamaamba was apprehended by Police and detained at Woodlands Police Station without being charged or notified of the offence he was alleged to have committed. That all attempts to have the Applicant charged or released proved futile. He prayed to the Court to issue a Writ of Habeas Corpus directing the Officer-In-Charge at Lusaka Central Police Station and to bring the body of the Applicant before Court.

