

1977

July 7,

[STAVRINIDES, HADJIANASTASSIOU AND MALACHTOS, JJ.]

ANTONIS
MOUZOURIS
AND OTHERS
v.
XYLOPHAGHOU
PLANTATIONS
LTD.

ANTONIS MOUZOURIS AND OTHERS,
Applicants,
v.
XYLOPHAGHOU PLANTATIONS LTD.,
Respondents.

(Criminal Application No. 4/77).

*Bail—Appeal—Disobedience to Court order in Civil Action—
Committal to prison—Application for bail pending hearing of
appeal from—Section 157(1) of the Criminal Procedure Law,
Cap. 155—Application not involving the exercise of criminal
jurisdiction—No power to grant bail—Said section not applicable.*

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The applicants were committed to prison for 45 days for disobedience to a Court order in a civil action. They filed an appeal against the committal together with an application for bail pending the hearing of the appeal. The application was based on section 157(1) of the Criminal Procedure Law, Cap. 155.

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Held, that the application for bail does not involve the exercise of criminal jurisdiction and therefore section 157(1) of Cap. 155 is not applicable; that this Court has no power to grant bail in a case of this kind; and that, accordingly, the application will be dismissed.

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Application dismissed.

Application for bail.

Application for bail, under section 157(1) of the Criminal Procedure Law, Cap. 155, pending the hearing of an appeal against the committal of the applicants to prison for 45 days for disobedience to an order made in a civil action.

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A. Pandelides, for the applicant.

L. Papaphilippou, for the respondents.

The judgment of the Court was delivered by:—

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STAVRINIDES, J.: This is an application for bail pending the hearing of an appeal from an order of the full District Court of Larnaca committing the applicants to prison for 45 days from

June 30 last for disobedience to an order made in a civil action, viz. an injunction.

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5 Counsel for the applicants has relied on s. 157(1) of the Criminal Procedure Law, Cap. 155. In our view this application does not involve the exercise of criminal jurisdiction and therefore that provision is not applicable. Altogether we are of the opinion that we have no power to grant bail in a case of this kind and accordingly the application is dismissed.

10 Mr. Papaphilippou having stated that he claims no costs, there will be no order in that behalf.

*Application dismissed. No order
as to costs.*