

**THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA AT MBALE**

**HCT-04-CR-0057/2000**

**UGANDA.....PROSECUTION**

**VERSUS**

**OMODING MOSES.....ACCUSED**

**BEFORE HIS LORDSHIP JUSTICE RUGADYA-ATWOKI**

**RULING**

The state offered no evidence upon realization that the complainant appeared to have lost interest in the case. State closed its case without calling any witness. What court has is the indictment, which accused denied. The prosecution has not therefore produced any evidence to show prima facie case against the accused to require him to make his defence. Under S.71 (1) T.I.D. I find the accused not guilty and I acquit him of the charge of defilement c/s 123(1) PCA. He is accordingly discharged. He is to be set free and at liberty unless he is held on other lawful charges.

**Rugadya-Atwoki**

**Judge**

**20/6/02**