

## Preacher withdraws urgent application

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Flamboyant preacher Jackson Babi yesterday withdrew an urgent application that his lawyer Kadhila Amoomo had filed in the High Court last week to have his arrest and the search at his house declared as unlawful.

Just as Judge Harald Geier was ready to hear evidence, Amoomo filed the request to withdraw the matter and offered costs to the lawyers of the prosecutor general, the inspector general of the Namibian Police and the magistrate of the district of Gobabis, who had indicated that they would oppose the application.

Mkhululi Khupe and Nixon Marcus represented the respondents on instructions from the attorney general. Babi wanted the High Court to issue an order in terms of which the search conducted by members of the Protected Resources Unit on 28 May is reviewed and set aside. He also wanted an order in which the warrant of arrest issued by the Gobabis magistrate is set aside and an order in which his arrest is declared invalid and unconstitutional. He further wanted an order in which he is released from custody and an order that declares his continued detention as ordered by Windhoek magistrate Linus Samuzala Samuzala as unlawful.

According to him, the warrants of arrest and the search done at his home are baseless, as the search did not conform to the requirements of the Criminal Procedure Act.

Babi and his co-accused Friza Naululu Dumeni, who were part of eight men arrested at the end of May for being in possession of two rhino horns, are facing a charge of possessing controlled wildlife products and a hunting rifle and ammunition in the Windhoek's Magistrate Court, while in Gobabis Magistrate's Court, Babi alone is facing a charge of hunting specially protected game. The two were remanded in custody when they made their first appearance.

The police said the alleged horns belonged to rhino poached at a farm in Gobabis. Meanwhile, Babi appeared in the magistrate's court in Gobabis and his case was postponed to 15 September for further investigations.

– rrouth@nepc.com.na

[Roland Routh](#)

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