

Filed on..... 1/7/25
at. 1:00 am/pm
..... Registrar
SUPREME COURT OF GHANA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA – A.D. 2025

J1/28/2025

WRIT TO INVOKE THE ORIGINAL JURISDICTION OF THE SUPREME COURT
PURSUANT TO ARTICLES 2(1) AND 130(1) OF THE 1992 CONSTITUTION
AND RULE 45(1) AND (2) OF THE SUPREME COURT RULES (1996) C.I. 16
SUIT NO.....

BETWEEN

KWAME BAFFOE @ ABRONYE
H/NO. D20/2, ODUMASE
SUNYANI

==== PLAINTIFF

VRS

1. ATTORNEY GENERAL
ATTORNEY-GENERAL'S CHAMBERS
MINISTRY OF JUSTICE, ACCRA
2. THE ECONOMIC AND
ORGANISED CRIME OFFICE (EOCO), HEAD OFFICE,
BARNES RD, ADJ. OLD PARLIAMENT HOUSE,
HIGH STREET, ACCRA - GHANA
3. THE NATIONAL INTELLIGENCE BUREAU (NIB)
MANET TOWER B, PLOT 25, AIRPORT CITY, ACCRA

=== DEFENDANTS

IN THE NAME OF THE REPUBLIC you are hereby commanded within fourteen days after the service on you of the statement of the Plaintiff's case inclusive of the day of Service, that you are to file or cause to be filed for you a statement of the defendant's case in an action of the suit of;

KWAME BAFFOE ALIAS ABRONYE

The Plaintiff, invoking the **original jurisdiction** of this Honourable Court under **Articles 2(1) and 130(1)(a)** of the Constitution, seeks the following reliefs;

1. **A declaration** that on a true and proper interpretation of **Article 14(3)** of the Constitution, **"a person who is not released"** includes a person who remains in detention after being granted bail but is unable to meet the bail conditions imposed by an arresting institution including the 2nd and 3rd defendant.
2. **A declaration** that the continued detention of suspects by EOCO and NIB beyond forty-eight (48) hours, solely on the basis that they have not met bail conditions—however excessive—**constitutes a violation of Article 14(3) and is unconstitutional.**
3. **A declaration** that, on a true and proper interpretation of Article 14(3) of the 1992 Constitution, the arresting institutions, including EOCO and NIB, **lack constitutional authority** to detain any person beyond forty-eight (48) hours without judicial authorisation, regardless of whether bail has been granted but not executed.
4. **A declaration** that the practice by EOCO and NIB of granting bail on **excessive, unattainable or punitive terms** which deprive suspects of actual release constitutes a **constructive denial of bail**, and undermines the purpose and spirit of Article 14, especially clause 3.
5. An order directing the Economic and Organised Crime Office (EOCO) and the National Intelligence Bureau (NIB) to take all necessary and lawful steps to ensure that all persons arrested and granted bail, but unable to fulfil the bail conditions imposed, are either released or brought before a court of competent jurisdiction within forty-eight (48) hours of their arrest or detention, failing which any continued detention shall be deemed unlawful and in contravention of Article 14(3) of the 1992 Constitution.

6. Any other consequential orders as this Honourable Court may deem fit to give effect to the fundamental rights enshrined in the Constitution, and to prevent future violations.

The capacity in which the Plaintiff is bringing the action is as follows;

The Plaintiff is a citizen of Ghana.

The address for service of the Plaintiff is as follows;

***KWAME BAFFOE
HOUSE NUMBER D 20/2, ODUMASE
SUNYANI-BONO REGION***

The name and address of person affected by this writ is as follows;

1. THE ECONOMIC AND ORGANISED CRIME OFFICE (EOCO)
BARNES RD, ADJ. OLD PARLIAMENT HOUSE,
HIGH STREET, ACCRA - GHANA
2. THE NATIONAL INTELLIGENCE BUREAU (NIB)
MANET TOWER B, PLOT 25, AIRPORT CITY, ACCRA
3. ATTORNEY GENERAL
ATTORNEY-GENERAL'S CHAMBERS
MINISTRY OF JUSTICE, ACCRA

DATED AT SUNYANI, THIS, 2ND DAY OF JULY, 2025


.....
KWAME BAFFOE
(PLAINTIFF HEREIN)

THE REGISTRAR
SUPREME COURT
ACCRA

AND COPIES FOR SERVICES ON THE DEFENDANTS HEREIN; WHOSE
ADDRESSES FOR SERVICES ARE STATED SUPRA