**Ugali Products Ltd v Republic**

**Division:** High Court of Kenya at Mombasa

**Date of judgment:** 25 October 1974

**Case Number:** 59/1974 (121/74)

**Before:** Sir Dermot Sheridan J

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*[1] Criminal Practice and Procedure – Forfeiture – Maize – Notice under Criminal Procedure Code must be given – Maize Marketing Act* (*Cap.* 338)*, s.* 43(*K.*) *– Criminal Procedure Code s.* 389*A* (*K.*)*.*

**Editor’s Summary**

On convicting an accused of moving maize unlawfully, the magistrate made an order for its forfeiture without serving notice on the applicant its owner.

On application to set aside the order, the respondent argued that as a procedure is laid down for the forfeiture of anything but maize, no notice was required.

**Held** – the general provisions on forfeiture in the Criminal Procedure Code apply to the forfeiture of maize.

Application allowed.

**No cases referred to in judgment**