

R. v. NDEMBELE AND OTHERS.

CRIMINAL REVIEW CASE No. 226 OF 1940.

Joinder of accused—similar offences.

In this case seven persons were indicted for wearing clothing in imitation of District Messengers' uniforms. The seven accused should have been indicted separately because the offence of any one of the accused was in no way concerned with the offence committed by any of the other accused although each accused committed an offence under the same section.

See also *R. v. Supuni* 4 N.R.L.R. 249.

Law, C.J.: Though each accused has committed an offence under section 8 (1) Cap. 43, no one accused appears to have been concerned with the actual offence committed by any of the other accused. In other words A is in no way concerned with B's offence though both offences fall under the same section. Strictly speaking, the accused should have been tried separately, but as no injustice was suffered by any of the accused it is not proposed to make any order in the case.