

X' E.M.  
15/11/16

IN THE HIGH COURT OF SOUTH AFRICA  
(GAUTENG DIVISION, PRETORIA)

CASE NO. 75378/16

In the matter between:

PAUL O'SULLIVAN

APPLICANT

and



NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS

1<sup>ST</sup> RESPONDENT

MINISTER OF JUSTICE & CORRECTIONAL SERVICES

2<sup>ND</sup> RESPONDENT

MINISTER OF POLICE

3<sup>RD</sup> RESPONDENT

LT-GENERAL KHOMOTSO PHAHLANE

4<sup>TH</sup> RESPONDENT

LT-GENERAL BERNING NTLEMEZA

5<sup>TH</sup> RESPONDENT

MAJOR-GENERAL PRINCE MOKOTEDI

6<sup>TH</sup> RESPONDENT

ADVOCATE SELLO MAEMA

7<sup>TH</sup> RESPONDENT

ADVOCATE JABULANI JACOB

MLOTSHWA

8<sup>TH</sup> RESPONDENT

WARRANT OFFICER JOSHUA JACOBUS VLOK

9<sup>TH</sup> RESPONDENT

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~~DRAFT~~ ORDER OF COURT

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**HAVING** read the papers filed of record, and by agreement between the parties (but without any admission of liability, and in particular without admission that the applicant is entitled to any relief in relation to Part A), an order in the following terms issues in relation to Part A of the application:

1. In any matter, including the charges being investigated under Pretoria Central CAS 380/4/2016, where the First Respondent has taken a decision to prosecute the Applicant and where a warrant of arrest has been obtained for the arrest of the Applicant, the 3<sup>rd</sup>, 4<sup>th</sup> 5<sup>th</sup> and 6<sup>th</sup> respondents undertake to afford the Applicant 48 hours' notice to present himself at a designated Police Station
2. In any other matter where the First Respondent has made a decision to prosecute the Applicant, the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents undertake that the applicant will be brought to court by way of summons.
3. In any other matter where the determination is made that the arrest of the Applicant is necessary, the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents undertake to afford the Applicant 48 hours' notice to present himself at a designated Police Station.

4. Part B is postponed *sine die*;
5. The costs of the Part A application are reserved for later determination.

BY THE COURT

REGISTRAR

