



Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

CASE INFORMATION

Case name:	Adrian Ernest Bowles v Makana Municipality & another	Case no: CA&R 148/2013
Judge/s:	Hartle & Plasket JJ	
Division:	Eastern Cape Division, Grahamstown	
Nature of matter:	This is an appeal, with the leave of the trial court, against the dismissal of the appellant's claims for damages premised firstly on the wrongful and unlawful arrest and detention of him by the second respondent, a traffic officer in the employ of the first respondent, at Grahamstown on 4 April 2009 and secondly, the ensuing malicious prosecution of the appellant also at the behest of the second respondent on charges of common assault and crimen iniuria.	
Order:	<ol style="list-style-type: none">1. In the result the appeal partially succeeds. The magistrate's judgment is altered to read as follows: '(1) The plaintiff succeeds in respect of his claim for wrongful arrest and detention, with costs.2. The plaintiff is awarded damages in the sum of R30 000.003. the claim for malicious prosecution is dismissed, with costs in favour of the defendants.'2. The appellant is granted the costs of the appeal.	
		Delivered on: 17 May 2014 2014