

National News

7 reasons why court denied Agasiirwe bail

Despite spending over 180 days on remand, SSP Agasiirwe was denied bail.

BY JULIET KIGONGO

The High Court yesterday denied bail to former Senior Superintendent of Police, Nickson Agasiirwe Karuhanga, citing about seven reasons, including the gravity of the charges against him, the risk of witness interference, and ongoing investigations into multiple capital offences.

In a detailed ruling, Justice Isaac Muwata held that although bail is a constitutional right, it is not automatic, particularly in cases involving serious crimes such as murder.

Agasiirwe is facing trial over the 2015 killing of senior state prosecutor Joan Kagezi, who was gunned down in Kampala City as she returned home with her children.

Serious charges and flight risk

The Prosecution argued that the offence of murder carries a possible death penalty, which increases the likelihood that the accused could abscond if released.

A position the judge agreed with.

Witness interference concerns

Justice Muwata also found a high likelihood that Agasiirwe could interfere with Prosecution witnesses, many of whom are junior police officers who previously served under him.

"There is a real risk of intimidation or interference with witnesses," court noted.

Multiple investigations weigh in

The court further observed that Agasiirwe is under investigation in



Justice Isaac Muwata has denied Senior Superintendent of Police, Nickson Agasiirwe Karuhanga (centre) bail citing seven crucial reasons. PHOTO/FILE

several other serious criminal cases, including allegations of kidnap with intent to murder, aggravated robbery, and multiple murders.

While acknowledging that he has no prior convictions, the judge said the volume of active investigations suggest a troubling pattern that could not be ignored.

Ongoing probes and residence doubts

Justice Muwata warned that releasing the accused could jeopardise ongoing investigations. He also questioned the credibility of Agasiirwe's proof of residence, noting that the property presented is itself under investigation for

alleged illicit enrichment.

No exceptional circumstances

The defence had argued that Agasiirwe had spent more than 480 days on remand and cited his age as grounds for bail. However, court found that he failed to demonstrate "exceptional circumstances" required for bail in capital offences.

Mandatory bail argument rejected

Court also dismissed claims that Agasiirwe qualified for mandatory bail after spending more than 180 days on remand, ruling that the State had already committed him to trial and was ready to proceed.

Interests of justice prevail

In conclusion, the judge ruled that the interests of justice outweighed the accused's personal liberty at this stage.

"There is an unacceptably high risk that the interests of justice would be prejudiced by his release," Justice Muwata stated.

Agasiirwe remains on remand as he awaits trial, with prosecutors maintaining that the killing of Kagezi was a carefully planned attack carried out by a group allegedly linked to him.

Agasiirwe is accused alongside former Flying Squad Unit operative Abdul Noor Ssemujju, alias Minaana and others in the Kagezi murder case.

Kagezi was killed on March 30, 2015.