

S U M M A R Y

Criminal procedure – arrest without warrant – detention of accused by police officer for over 24 hours even after Station Commander had authorised release of accused on warning (SAPS 496) in terms of section 72 of the Criminal Procedure Act 51 of 1977 – arrest and detention unlawful – not in compliance with provisions of section 40(1)(a) of the Criminal Procedure Act 51 of 1977 – arresting officer not applying his mind to personal circumstances of accused, a deputy school principal – that she was not a flight risk – accused degraded by other police officials – delictual damages in amount of R25 000,00 – fair and just for unlawful arrest and detention – arresting officer not entitled to arrest accused for ulterior motives, such as revenge and punishment.