

IN THE SUPERIOR COURT OF JUDICATURE
IN THE COURT OF APPEAL
ASHANTI REGION
KUMASI – A.D. 2025

FILED ON 24/06/25
AT 08:44 AM
REGISTRAR
HIGH COURT, KUMASI

CASE NO.

APPELLANT

THE REPUBLIC

V.

ALEXANDER KWABENA
SARFO-KANTANKA

ACCUSED/RESPONDENT

NOTICE OF APPEAL

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PLEASE TAKE NOTICE that aggrieved by and dissatisfied with the judgment of the High Court, Kumasi, presided over by Her Ladyship, Priscilla Dikro Ofori, J. on 26 May 2025, the Republic hereby appeals against the said judgment on the grounds stated in paragraph I and will pray for the reliefs stated in paragraph III.

I PART OF THE DECISION COMPLAINED OF:

The whole judgment stating that the Republic was unable to prove its case against the Accused/Respondent beyond reasonable doubt and thereby acquitting and discharging the Accused/Respondent on counts 1, 2 and 23 of the charges against the Accused/Respondent.

II GROUNDS OF APPEAL

- i. The judgment cannot be supported having regard to the evidence on record.
- ii. The learned trial judge erred in law in holding that the prosecution should have called an independent witness to testify to the accused person's confession statement.



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Particulars of Error of Law

The accused person did not object to the content and voluntariness of his confession statement when it was tendered and admitted in evidence at the trial to warrant proceedings on a *voir dire* and the need for the prosecution to call an independent witness to testify to the content and voluntariness of the confession statement thereof.

- iii. The learned trial judge erred in law in failing to accord proper evidentiary weight to the confession statement of the accused person.

Particulars of Error of Law

Evidence of further statements of the accused person contradicting his previous confession statement does not invalidate the confession statement tendered and admitted in evidence without any objection.

- iv. The learned trial judge misdirected herself when she relied on the subsequent caution statements of the accused person to discredit the earlier confession statement of the accused person.

Particulars of Misdirection

- a. The learned trial judge's finding that PW5 denied the accused person the opportunity to write his caution statement by himself is not supported by the evidence on record.
- b. The learned trial judge's finding that the accused person denied the content of his confession statement read to him by PW5 and consequently requested to write further statements on his own is not supported by the evidence on the record.



- v. The learned trial misdirected herself when she failed to assess and put any weight on the evidence of PW1.

Particulars of Misdirection

The learned trial judge failed to consider the evidence of PW1, wherein he admitted that the accused person gave a sum of money to one Omani Aboagye to be given to him (PW1) to go and vote for the accused person during the Juaben Municipal Assembly elections.

- vi. The learned trial judge erred in law by favouring the evidence of the accused person over the evidence of the Republic.

Particulars of Error of Law

The learned trial judge failed to give any reason for favouring the accused person's evidence over that of the Republic.

III RELIEF SOUGHT

The judgment of the trial court and the order thereon, acquitting and discharging the Respondent, be set aside and the Respondent convicted on counts 1, 2 and 23 of the charges on the Charge Sheet.

IV PERSON DIRECTLY AFFECTED BY THE APPEAL:

Alexander Kwabena Sarfo-Kantanka
H/No. JB. 128
Juaben Abisim
Juaben, Ashanti Region

V ADDRESS FOR SERVICE OF THE APPELLANT

Office of the Special Prosecutor
6 Haile Selassie Avenue



South Ridge
Accra

Dated at the Office of the Special Prosecutor, 6 Haile Selassie Avenue, South Ridge, Accra, this Twenty-Third Day of June 2025.



Dr. Isidore Tufuor
Director of Prosecutions
Office of the Special Prosecutor

The Registrar
High Court
Kumasi

And a Copy for Service on the Accused/Respondent.

