



REPUBLIC OF KENYA



**Kamau v Republic (Revision Case E667 of 2022)
[2023] KEHC 21216 (KLR) (25 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 21216 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E667 OF 2022
SM MOHOCHI, J
JULY 25, 2023**

BETWEEN

DENNIS MAINA KAMAU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The application for review under Section 362 as read with Section 64 of the [Criminal Procedure Code](#) has been placed before me for consideration.
2. The Court accordingly called for and reviewed the entire proceedings in Nakuru Criminal Case No E3734 of 2022 to satisfy itself as to the correctness, legality and propriety of the sentence imposed.
3. The Applicant was convicted and imprisoned on his own plea of guilty for the offence of stealing contrary to Section 268 as read together with Section 275 of the [Penal Code](#).
He was imprisoned for 18 months without an option of fine.
4. The Court has reviewed the proceedings noting that the Appellant was not afforded the option of a fine or other lighter sentence to imprisonment.
This Court hereby varies the sentence imposed as follows: -
5. The Applicant is hereby fined a sum of Kshs 20,000 and in default to serve imprisonment of 18 months.
The imprisonment sentence shall run from the 22nd November, 2022.
It is so ordered.

**SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 25TH JULY 2023
MOHOCHI S.M**



JUDGE

___In the presence of: -

Court Assistant – Schola

State Counsel – Ms. Mburu

