



**Republic v Mwangi (Criminal Appeal E018 of 2022)
[2023] KEHC 22943 (KLR) (27 September 2023) (Ruling)**

Neutral citation: [2023] KEHC 22943 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MURANG'A
CRIMINAL APPEAL E018 OF 2022
J WAKIAGA, J
SEPTEMBER 27, 2023**

BETWEEN

REPUBLIC PROSECUTOR

AND

AGNES NYAMBURA MWANGI ACCUSED

RULING

27/9/2023

Before Hon. J. Wakiaga (J)

Prosecutor: Ms Gakumu

Court Assistant: Jackline

Accused

Mr. Njiraini for Tim Kariuki for Appellant

Mr. Njiraini

We are seeking Court Order for the release of the fine paid.

J. WAKIAGA

JUDGE

1. Once the judgement upon which the fine was paid has been set aside the court has no business holding the said fine.
2. There is no any other Court order required for the release of the fine paid save for the Order allowing the appeal and setting aside the sentence.



3. I am therefore at a loss on what basis a judicial staff would require a Kenyan who has been set free by Court to produce another Court Order for the release of fine which as they say was illegally issued.
4. It is not the desire of this Court to enter into the Arena of supervising judicial staff on how they perform their duties but I am forced do so by this officer's action.
5. I hereby order and direct that the fine paid by the successful Appellant herein be refunded to her forthwith.
6. This order to be served upon the Head of Station – Kangema Law Courts and it is ordered.

DATED, SIGNED AND DELIVERED AT MURANGA THIS 27TH DAY OF SEPTEMBER 2023.

J. WAKIAGA

JUDGE

