

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KIAMBU

CRIMINAL REVISION NO. 132 OF 2019

FROM ORIGINAL CONVICTION AND SENTENCE IN CRIMINAL

CASE NO 4154 OF 2016 OF THE CHIEF MAGISTRATE'S COURT AT THIKA

JOYCE MWENDE.....APPLICANT

VERSUS

DPP.....RESPONDENT

(Being Revision of the sentence of Joyce Mwende delivered on 12th June 2019

in Thika Criminal Case No. 4152 of 2016 Consolidated With Thika

Criminal Case No. 4154 of 2016)

REVISION RULING

Joyce Mwende was sentenced for 5 (five) years imprisonment by the Thika Chief Magistrate in Criminal Case No. 4152 of 2016 consolidated with Criminal Case No. 4145 of 2016. Her imprisonment was on 12th June 2019.

The record of Thika Chief Magistrate court in the above matters shows Joyce Mwende was held in custody from 27th May 2016, up to the date she was convicted and sentenced. It follows that in calculating Joyce Mwende's sentence the period she was held in custody, from 27th May 2016 to 12th June 2019 should be taken into account, which the trial court did not consider.

I therefore order that the sentence of Joyce Mwende be calculated as stated above.

DATED AND SIGNED AT KIAMBU THIS 18TH DAY OF MARCH 2021.

MARY KASANGO

JUDGE