



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

(CORAM: CHERERE-J)

CRIMINAL REVISION NO. 421 OF 2020

BETWEEN

ZIPPIRAH KIILU.....APPLICANT

AND

REPUBLIC.....RESPONDENT

RULING

1. **ZIPPIRAH KIILU** (the Applicant) was charged attempted to section 220 of the Penal Code, was convicted and was on 14<sup>th</sup> February, 2018 sentenced to serve 7 years' imprisonment.
2. Applicant did not appeal the sentence. She now seeks a revision of the sentence on the grounds that she is 71 years old and sickly.
3. The powers of the High court in revision cases are contained in Section 362 through to 366 of the Criminal Procedure Code (cap.75) Laws of Kenya. Section 362 specifically provides as follows: -

**“362. The High Court may call for and examine the record of any criminal proceedings before any subordinate court for the purpose of satisfying itself as to the correctness, legality or propriety of any finding, sentence or order recorded or passed, and as to the regularity of any proceedings of any such subordinate court”.**

4. No material has been placed before the court to demonstrate any incorrectness, illegality or impropriety of the proceedings of the subordinate court. I therefore find that this revision has no merit and it is disallowed.

**DATED AT KISUMU THIS 30<sup>TH</sup> DAY OF SEPTEMBER, 2021**

**WAMAE. T. W. CHERERE**

**JUDGE**

**Court Assistant - Mr. Kinoti**

**Applicant - Present in person**

**For the State - Ms. Mwaniki**