

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

CRIMINAL REVISION NO.38 OF 2020

CYRUS MUTHOMI.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Revision of the Original Sentence dated 28.10.2019 in Nanyuki Criminal Case No.1398 of 2019 – L. Mutai , CM)

23/03/2020

Before Justice H P G Waweru

In Chambers

ORDER ON REVISION

1. The convict herein, CYRUS MUTHOMI, was on 28.10.2019 sentenced to a fine of Kshs.20,000= and in default to serve 10 months imprisonment for the offence of illegal cutting and removal of forest produce contrary to Section 64(1) (a) and (2) of the Forest conservation and Management Act, No.34 of 2016. He did not pay the fine and is serving the default sentence.
2. Because of the Coronavirus (COVID – 19) emergency now going on in our country, and in exercise of the powers of this court under Article 159(2) of the Constitution and Section 362 and 364 of the Criminal Procedure Code, I will set aside the default sentences of ten(10) months and substitute therefor the time already served.
3. The convict shall therefore be set at liberty forthwith unless otherwise lawfully held. It is so ordered.

DATED AT NANYUKI THIS 23RD DAY OF MARCH, 2020

H.P.G. WAWERU

JUDGE.

DEPUTY REGISTRAR

NANYUKI HIGH COURT