



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NANYUKI**

**CRIMINAL REVISION NO.107 OF 2020**

*(From Original Conviction and Sentence in Nanyuki Criminal Case No.454 of 2020)*

**ALEX JAWANGA.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**ORDER IN REVISION**

*(In Chambers Before:- Hon. Justice Waweru on 16<sup>th</sup> June, 2020).*

**IT IS HEREBY ORDERED:-**

- 1. THAT** upon request by the convict herein, **ALEX NJAWANGA**, I have called for an examined the record of the trail court.
- 2. THAT** the convict was convicted upon his own plea of Breach of curfew order contrary to Order 3 of the Public Order (state curfew) Order, 2020 as read with Section 8(6) of the Public Order Act, Cap 56.
- 3. THAT** he was sentenced to a fine of Kshs.4,000/00 and in default of payment to serve 3 months imprisonment. This was on 15/05/2020. He did not pay the fine and is serving the default sentence.
- 4. THAT** because of the Coronavirus (*covid-19*) pandemic now current in our country, and in exercise of the powers of the court under Article 159(2) of the Constitution and Sections 362 and 364 of the Criminal Procedure Code, I hereby set aside the default sentence and substitute therefore the time already served.
- 5. THAT** means that the convict shall be st at liberty forthwith unless otherwise lawfully held.

**GIVEN** under my hand and seal of this Honourable Court this 16<sup>th</sup> day of June 2020

**DEPUTY REGISTRAR**

**NANYUKI HIGH COURT**

**ISSUED** at NANYUKI this 16<sup>th</sup> day of June 2020.