



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CONSTITUTIONAL AND HUMAN RIGHTS DIVISION

PETITION NO. 146 OF 2018

**IN THE MATTER OF: THE CONSTITUTION OF KENYA 2010 (SUPERVISORY JURISDICTION
AND PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOM OF AN INDIVIDUAL)**

HIGH COURT PRACTICE AND PROCEDURE RULES 2013

AND

IN THE MATTER OF: OF: ARTICLE 22(1) OF THE CONSTITUTION

AND

IN THE MATTER OF: ARTICLE 23(1) OF THE CONSTITUTION

AND

**IN THE MATTER OF: ARTICLES 19. 20. 21, 22, 23, 24, 25,
27, 28, 48, 50, 258 AND 259 OF THE CONSTITUTION**

BETWEEN

ABDALLA HAMISI JUMA.....PETITIONER

VERSUS

DIRECTOR OF PUBLIC PROSECUTION.....RESPONDENT

JUDGMENT

I have carefully considered the submissions of the parties. Although the Petitioner has served 22 years the offence he committed was grievous. He was also not remorseful. However, this court is satisfied that he has learnt his lesson. I therefore jail him for a total of 23 years including the time he has spent in jail, meaning that he should leave prison any time in 2020.

The Petitioner has the right of appeal within 14 days.

Dated, Signed and Delivered in Mombasa this 20th day of June, 2019.

E. K. OGOLA

JUDGE

In the presence of:

Mr. Fedha for DPP

Petitioner in person

Mr. Kaunda Court Assistant