

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL DIVISION

MISC. CRIMINAL APP. NO. 95 OF 2018

GABRIEL GICHERE WAIRAGU.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

After hearing the submissions from the respective counsel, it is clear that police have no reason to continue keeping/holding the subject motor vehicle. Investigations have taken too long and so far no evidence has linked the Applicant to establish a case against him.

I accordingly, order that motor Vehicle Reg. No. KBR 540Y Subaru be released to the Applicant by close of day tomorrow 15/4/2018.

The investigating officer is at liberty to take its photographs in the meantime. The Applicant is also directed that he should produce the vehicle in court if required to should any charges be filed. Further, he shall not dispose of the vehicle or change its registration (ownership) without the express consent of the Investigating Officer, PC Dancan Chomba.

DATED and DELIVERED this 17th day of April, 2018

G.W. NGENYE-MACHARIA

JUDGE

In the presence of:

- 1. Amadi for the Applicant*
- 2. M/s Sigei h/b for m/s Atina for the Respondent*