



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MERU**

**CRIMINAL APPEAL NO. 137 OF 2017**

**CORAM: D.S. MAJANJA J.**

**BETWEEN**

**FREDRICK MWENDA .....APPELLANT**

**AND**

**REPUBLIC .....RESPONDENT**

*(Being an appeal from the original conviction and sentence of Hon. J.W. Wanganga, RM dated 2<sup>nd</sup> February 2015 at the Chief Magistrate's Court at Maua in Criminal Case No. 335 of 2015)*

**JUDGMENT**

1. The appellant **FREDRICK MWENDA** pleaded guilty to causing grievous harm contrary to **section 234** of the *Penal Code (Chapter 63 of the Laws of Kenya)*. He was sentenced to five (5) years imprisonment. At the hearing of this appeal he seeks for the sentence to be reviewed. I have looked at the sentencing notes and the probation report that the trial court relied on and they do not put the appellant to positive light. I am unable to intervene. I however direct the Probation and After Care Services to review this matter and prepare a report for consideration before the Presiding Judge.

2. The appeal is dismissed.

**DATED and DELIVERED at MERU this 30<sup>th</sup> day of May 2018.**

**D.S. MAJANJA**

**JUDGE**

Appellant in person.

Mr Kiarie, Prosecution Counsel, instructed by the Office of the Director of Public Prosecutions for the respondent.