

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

MISCELLANEOUS CRIMINAL CASE NO. 13 OF 2017

(in the matter of an intended Appeal

Between

NICHOLAS MWENDA MARANGU.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

I have considered the applicant for leave to appeal out of time. The reason advanced in the Affidavit in Support is that the relatives who were to assist the Applicant in lodging the appeal lacked money. That to me is plausible reason given the economic situation of most of our people. Poverty should not be a bar to a person's quest for justice.

Further, the sentence is for 10 years which is a long time. In this regard, I allow the application. The Petition of Appeal is hereby admitted as duly filed with leave. Let the registry open a new file for the appeal and call for proceedings of the lower Court file to process the appeal.

This file is closed.

DATED, SIGNED AND DELIVERED THIS 28TH DAY OF MARCH, 2017

A. MABEYA

JUDGE

28/03/2017