



**REPUBLIC OF KENYA**

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

**MISCELLANEOUS CRIMINAL APPLICATION NO. 24 OF 2017**

**MARTIN KIMATHI ..... APPELLANT**

**VERSUS**

**REPUBLIC ..... RESPONDENT**

**RULING**

I have considered the application. The same is not opposed.

I note that the ground advanced is that the Applicant expected his family to lodge an appeal on his behalf but they failed.

The delay has been of three months considering the sentence metted out of 30 years. I consider the application to be meritorious. I allow the same. Let the Petition of Appeal be served upon the Director of Public Prosecutions (DPP) forthwith and an Appeal file be opened.

This file is closed.

**DATED at MERU this 22<sup>ND</sup> day of MAY, 2017.**

**A. MABEYA**

**JUDGE**

**22/05/2017**