

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NANYUKI

CRIMINAL REVISION NO. 119 OF 2017

DAVID MOGAKA.....PLAINTIFF

VERSUS

REPUBLIC.....RESPONDENT

***(BEING A REVISION OF ORDER OF 13TH JUNE 2017 IN THE NANYUKI CHIEF
MAGISTRATE'S COURT CRIMINAL CASE NO. 4 OF 2014 BY HON. W. J. GICHIMU)***

RULING ON REVISION

1. David Mogaka was found guilty but insane of **unlawful wounding contrary to section 237(a) of the Penal Code**. The trial court ordered that he be held at the pleasure of the president as provided under **section 166(2)** of the Criminal Procedure Code.
2. Mogaka has requested this court to exercise its jurisdiction under **section 362** of the Criminal Procedure Code and revised that order.
3. I have perused the lower court's record and I have formed the view that the matter is not suitable for revision by this court. Mogaka should, if dissatisfied with the finding of the trial court, file an appeal against the same. Accordingly revision is declined.

DATED AT NANYUKI THIS 2ND DAY OF AUGUST 2017

MARY KASANGO

JUDGE