

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIVASHA

CRIMINAL REVISION NO. 30 OF 2017

(From original Conviction and Sentence in Criminal Case No. 1137 of 2016 of the Senior Resident Magistrate's Court at Engineer, G. N. Opakasi - RM)

JOHN MWANGI LUCIA.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

IN CHAMBERS ON 22ND SEPTEMBER, 2017

BEFORE HON. LADY JUSTICE C. MEOLI, J

ORDER ON REVISION

1. Having perused the lower court proceedings which are the subject of the letter by Njihia & Co. Advocates dated 23/8/2017 seeking revision, on behalf of the Complainant, I am satisfied as to the correctness and legality thereof.
2. An order of discharge under Section 87 (a) of the Criminal Procedure Code does not amount to an acquittal at any rate. The Accused is liable to be re-charged once witnesses become available.

Written and signed at Naivasha this 22nd day of September, 2017.

C. MEOLI

JUDGE