

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL APPEAL NO. 102 OF 2014

MOHAMED ABBAS ABDALLAHAPPELLANT

VERSUS

REPUBLICRESPONDENT

(From the Original Conviction and Sentence in the Criminal Case No. 19 of 2014 of the Children's Court at Tononoka Hon. B. Koech - RM)

RULING

The Applicant **MOHAMED ABASS ABDALLA** was Convicted and Committed to Borstal Institution for three (3) years.

I have perused the probation report which was unfavourable to probation placement. Counsel for the applicant contends that its speculative. The appellant pleaded guilty to the charge of being in possession of Narcotic drugs.

It is noted that this is not a complex appeal which can take unduly long to be heard and determined.

There are no special circumstances in this case.

I find that the application has no merit but its ordered that the appeal to be given priority in hearing.

Ruling delivered and dated this **22nd** day of **May, 2014**.

.....

M. MUYA

JUDGE

22ND MAY, 2014

In the presence:-

Learned Counsel for the State Mr. Mureithi

Learned defence Counsel Mr. Were

Court clerk Musundi