

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYERI

CRIMINAL REVISION CASE NO. 69 OF 2010

SAMUEL NDIRANGU WARURUAPPLICANT

versus

REPUBLICRESPONDENT

REVISION

1. By a letter dated 13th September 2010 the applicant through his advocate moved the court under section 362 of Criminal Procedure Code for revision to ascertain his constitutional, correctness legality or propriety of the lower courts order in refusing to release the exhibits held by the state to the accused person.
2. The accused person was acquitted under section 210 of CPC of the charges of removing of forest produce contrary to section 52(1)(a) of the Forest Act Cap 385 Laws of Kenya and that the court did not order for forfeiture of the said exhibits to the state or release of the same to the applicant.
3. I therefore revise the ruling herein by Hon. S. Muketi the Chief Magistrate on 7th September 2010 and order that the exhibit herein listed as:

Exhibit No. 1 - Power saw

Exhibit No. 2 - two hundred pieces of timber

Exhibit No. 3 - twenty five (25) pieces of off cuts be released to the applicant forthwith.

Dated and delivered at Nyeri this 31st day of July 2014.

J. WAKIAGA

JUDGE