**REPUBLIC OF KENYA**

**IN THE HIGH COURT AT MALINDI**

**APPELLATE SIDE**

**CRIMINAL APPEAL NO. 20 OF 2012**

*(From the original conviction and sentence in criminal case no. 757 of 2011 at the Principal Magistrate's Court at Kilifi before Hon. A. M. Obura – PM)*

**KARISA BARARA ….....APPELLANT**

**VERSUS**

**REPUBLIC ….....RESPONDENT**

**JUDGMENT**

Appeal primarily attacks evidence upon which the conviction is based. On reviewing evidence in Lower Court as required, I have found that the Lower Court's conclusions were sound. The trial magistrate was entitled to convict. It appears the appellant had severally molested the disabled minor before her father reported to police. There is no evidence of the existence of a grudge between the victim and the appellant. The court was satisfied she was a truthful witness. No requirement for any number of witnesses to be called. Appeal has no merit and is dismissed.

Conviction sustained and sentence confirmed.

Delivered and signed at Malindi this **30th** day of **April, 2013** in the presence of the appellant, and Ms.

Mathangani for State.

Court clerk – Evans

**C. W. Meoli**

**JUDGE**