

REPUBLIC OF KENYA

High Court at Mombasa

Miscellaneous Criminal Application 92 of 2012

EVA NJERI KARIUKI APPLICANT

- Versus -

REPUBLIC RESPONDENT

RULING

The Appellant was convicted and sentenced to 2¹/₂ years in Criminal Case No. 2922 of 2009. She was also convicted and sentenced to six months imprisonment in Criminal Case No. 2923 of 2009 MSA. On 19th July 2011 she was convicted and sentenced to 2¹/₂ years in Criminal Case No. 2940 of 2009 MSA.

In the three files she was convicted on several Counts and sentences ordered to run concurrently on each file the prayer is that she be released forthwith owing to the fact that she has reformed. Apart from her word of mouth, there is nothing in the form of a recommendation or a Certificate from the Prison authorities to show that she has reformed and she has acquired various skills while in Prison. A perusal of the files shows that the convictions were on similar offences related to making false documents, forgery, obtaining money by false pretences.

The sentences of 2¹/₂ years and six months imprisonment are not harsh or excessive. The three files are also unrelated and cannot be consolidated.

In find her application lacking in merit and it's disallowed.

Ruling read and delivered in open Court this 22nd day of May, 2013.

**M. MUYA
JUDGE**

In the presence of:-

Mr. Jami for State

Applicant in person

Court clerk – Mr. Musundi