



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT MACHAKOS**

**Criminal Revision 6 of 2009**

**1. R.M.K**

**2. PATRICK MUTHEKYA**  
**NGETHE .....ACCUSED**

**VERSUS**

**REPUBLIC**

**REVISION**

1. This file was opened and a revision was to be made in respect of [R. M K], a minor sentenced to serve 10 years imprisonment for the offence of robbery. I have since perused the lower court file i.e. Kilungu RM'S Court Criminal Case No. 409/2005 and I note that in fact Onyancha J in H.C. Revision 90/2005 had already dealt with the issue and quashed the conviction of the minor and ordered his retrial.
2. It follows that the matter is settled and there is nothing left for this court to do and I in any event shall make no other orders in revision.
3. As regards, [R.M.K] co-accused, one Patrick Muthenya Ngethe, let his appeal in H.C.Cr. Appeal 60/2008 be listed for a mention date before me and the trial court's record should be placed before me on the mention date.
4. Orders accordingly.

Dated and delivered at Machakos this 21<sup>st</sup> day of July 2009.

**ISAAC LENAOLA**  
**JUDGE**

JUDGE