

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

Crim Misc Appli 8 of 2008

IN THE MATTER OF CRIMINAL CASE NO. 1220/06 R- VS – BATHOLOMEO KAUGIRIA
alias TOY

REPUBLIC.....APPLICANT

V E R S U S

BATHOLOMEO KAUGIRIA alias TOY.....RESPONDENT

R U L I N G

Upon reading the Application of State Counsel dated and filed in court on 13.03.2008 and upon hearing Mr. Kimathi learned State Counsel, and upon hearing the accused, Mr. Batholomeo Kaugiria alias Toy in response thereto, I am satisfied that this is a proper case for an order to be made under Section 81(1) (e) (ii) of the Criminal Procedure Code, (Cap.75), Laws of Kenya. I therefore make the following orders:

- (1) That the venue for hearing Criminal Case No. 1220 of 2006 be changed from the Chief Magistrate's Court at Meru to the Chief Magistrate's Court at Nairobi or other convenient court.
- (2) Authorize the Commanding Officer Meru G.K. Prison to transfer the Prisoner No. MRU/71/108/CON BATHOLOMEO KAUGIRIA to Kamiti Maximum Prison or such other prison with similar facilities of security as Kamiti Maximum Prison.
- (3) The Prison authority shall avail to the prisoner Batholomeo Kaugiria a regular supply of ARV drugs.
- (4) The State (Republic) shall facilitate the transport and accommodation of witnesses for the said accused of whom the accused shall first have supplied the names, locations and other particulars to facilitate arrangements as aforesaid.

Dated and delivered at Meru this 14th day of March 2008.

M. J. Anyara Emukule

JUDGE.