

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

Criminal Revision 202 of 2006

MWONGELA PETER APPLICANT

VERSUS

REPUBLIC RESPONDENT

RULING

This matter is referred to this court from Makindu Resident Magistrate's Criminal Case No. 376 of 2006.

It is revealed that the Resident Magistrate at Makindu is not a designated magistrate under the Children's Act and has no jurisdiction to try the case.

Order:

1. The Makindu Resident Magistrate's Criminal Case No. 376 of 2006 is hereby transferred to the Machakos Chief Magistrate's Court to place it before a designated magistrate under the Children's Act.
2. The relevant magistrate to hear the case to its completion as soon as possible and if convenient, day to day.
3. The Makindu Resident Magistrate's Criminal Case No. 376 of 2006 to be placed before the Chief Magistrate for mention for relevant directions on 23/10/2006.

D.A. ONYANCHA

JUDGE

19/10/06