

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL APPLICATION NO.848 OF 2003

MWANGI CHEGE APPLICANT

VERSUS

REPUBLIC RESPONDENT

JUDGMENT

Although the offences are said by the applicant in his affidavit to have been tried and decided by the same magistrate, one took place on 26.02.01 while the other was committed on 12.02.03, i.e. they were 2 years apart. They were clearly not committed in the course of the same transaction. The appellant has not made out any case either for the cases to be consolidated or for the sentences to be made to run concurrently.

The applicant's application for Kikuyu Senior Resident Magistrate's Court Criminal Case Nos.1670 of 2001 and 254 of 2003 against himself to be consolidated and for the sentences of 2 years imprisonment passed under each of them to be made to run concurrently is hereby dismissed.
Orders accordingly.

Delivered and dated this 9th day of December 2003

B.P. KUBO

JUDGE