

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL DIVISION

CRIMINAL APPL. NO. 295 OF 2002

(In the matter of an intended appeal)

Between

PERRY MUHINDI ACHEGAAPPLICANT

AND

REPUBLICRESPONDENT

A N D

(Intended appeal from conviction(s) and sentence(s) of the Magistrate's Court at Nairobi) in

Criminal case no. 32 of 2002

Between

REPUBLICAPPLICANT

VERSUS

PERRY MUHINDI ACHEGAACCUSED

RULING

This is an application by the applicant seeking to have his security presented in Criminal Case No. 32/2002 approved.

According to the applicant his surety presented a lease document in respect of LR 27721 a house in Kimathi Estate valued of over 2 million shillings. That security was rejected and the surety also rejected. Miss Nyamosi for the Republic does not object to the security after perusing a copy of the same.

On a careful consideration of this application I agree with Miss Nyamosi, that the trail magistrate did not have sufficient reasons to reject the security presented by the accused's surety.

I accordingly order that the same be produced and be deemed as adequate security for the release of the accused person in Criminal Case 32/2002 as ordered in the Lower Court.

Order accordingly.

R. M. MUTITU

JUDGE

28.3.2002