



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

APPELLATE SIDE

CRIMINAL DIVISION

CRIMINAL APPEAL NO.1172 OF 2001

**(From Original Conviction and Sentence in Criminal Appeal No.9061
of 2001 of the Senior Principal Magistrate's Court at Kibera)**

VINCENT MUMANYI RATEMO.....APPELLANT

VERSUS

REPUBLICRESPONDENT

10.30 A.M.

19/3/2002

Both appellants present

No appearance for Republic –served

1ST APPELLANT

I drop the appeal against the conviction. On sentence pray for lenience.

I am sorry. My first offence.

2ND APPELLANT

**I also drop my appeal against the convictions. Pray for leniency.
I am remorseful. My first offence**

V.V. PATEL

JUDGE

19/3/2002

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of 2001 of the Senior Principal Magistrate's Court at Kibera)

VINCENT MUMANYI RATEMO.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

CONSOLIDATED WITH

CRIMINAL APPEAL NO.1175 OF 2001

(From Original Conviction and Sentence in Criminal Appeal No.9061

of 2001 of the Senior Principal Magistrate's Court at Kibera).

MOSES GITHINJI GATHU.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

JUDGMENT

Criminal Appeal No.1172 and 1175 of 2001 are consolidated.

The appeals are only against the sentences.

I have considered the evidence on record. Both appellants have now accepted the convictions are proper. Both appellants were first offenders.

It took some eleven months in the court below to end a case so simple as this one. These delays must stop. Think of the mental agony of the appellants for such a long period.

ORDER

Sentence against each of the two appellants on the 1st count is reduced to two years imprisonment plus 2 strokes each.

The sentences of Moses Githinji (the 2nd appellant) on the other counts to run concurrently stand.

Dated and delivered AT Nairobi this 19th day of March 2002.

V.V. PATEL

JUDGE