

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL APPEAL NO. 34 OF 2003

FROM ORIGINAL CONVICTION AND SENTENCE IN CRIMINAL

CASE NO. 42 OF 2003 OF THE CHIEF MAGISTRATE'S COURT AT NAIROBI

NORAH MUKORWE.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

JUDGMENT

The plea was not an unequivocal admission of guilt considering that what the appellant now says was said in the lower court. She says she is married in Kenya and the court should have ordered an investigation into that.

As of now she has served 2 months. That is sufficient punishment. This appeal is allowed conviction quashed and sentence set aside. The repatriation order is now vacated. She shall be set free forthwith unless otherwise lawfully held.

Dated and delivered at Nairobi this 5th day of March, 2002

MBOGHOLI MSAGHA
JUDGE