



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**CRIMINAL APPEAL NO.1147 OF 2001**

(From Original Conviction and Sentence in Criminal Case  
No.2613 of 1999 of the Chief Magistrate's Court at Nairobi)  
JANE WANJIKU..... APPELLANT  
VERSUS  
REPUBLIC..... RESPONDENT

**RULING**

The appellant in this case dropped her appeal against conviction meted to her by Mrs. Githua a Resident Magistrate in Nairobi wherein she was sentenced to 15 months and 2 ½ years imprisonment on two counts. She has however maintained her appeal on sentence stating that she is sickly and has two children to take care of being a single mother. The state left the issue of sentence to the Court.

I have considered the appellants reasons for wanting the sentence to be reduced. I have noted that the offences for what she was convicted attract a total of 3 years imprisonment and are misdemeanors. A sentence of 2 ½ years imprisonment was therefore quite reasonable but considering that the Appellant is a single mother and is sickly I will reduce the sentence accordingly.

The appellant will therefore serve 15 months imprisonment on each of the two counts. The sentence is therefore reviewed accordingly and will run concurrently .

**R.M. MUTITU**  
**JUDGE**  
**28/8/2002**

Delivered dated and signed in open court in the presence of the appellant and in the presence of Miss Okumu for the state.

**R.M. MUTITU**  
**JUDGE**  
**29.8.2002**