



**Njoroge v Republic (Criminal Revision E172 of 2024)
[2024] KEHC 7381 (KLR) (6 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7381 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MURANG'A
CRIMINAL REVISION E172 OF 2024
AM MUTETI, J
JUNE 6, 2024**

BETWEEN

SIMON MUCHIRI NJOROGE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged with the offence of being in possession of cannabis Contrary to Section 3 (1) as read with Section 3 (2) (a) of the *Narcotics Drugs and Psychotropic Substances Act* No. 4 of 1994.
2. He was convicted on his own plea of guilty and Sentence to a fine of Ksh. 30,000/= in default to serve 2 years imprisonment. The conviction was entered on 17th January 2024.
3. I have reviewed the file as well as the sentence review report. On the face of the charge sheet the applicant is indicated to have had 16 rolls of cannabis worth Ksh. 4,000. The said drug was not medically prepared.
4. According to the sentence review report the applicant is said to use and sell cannabis. The report by Naumo Peris P.O indicates that the information was from his family members. The report is unfavourable to him.
5. The court is not minded to review his sentence considering that the Drug menace in the country has reached an alarming level calling for all actors in the criminal justice sector to act decisively on those that peddle drugs.
6. The consumption of the same is not only dangerous to the applicant but is a matter of grave concern considering the state of the country in terms of drugs and substance abuse.
7. We must send a strong message to those that think that they can live on the earnings of drugs trade. The Society must be protected from the negative effects of drugs and substance abuse.



8. In view of this, I decline to review the sentence in exercise of the power under Section 364 of *Criminal Procedure Code* and order that the applicant remains in prison till the end of his term. It is my hope that he will have benefited from the experience in there to decide whether in future he would ever engage in that business.

The application is dismissed.

DATED, SIGNED and DELIVERED VIRTUALLY at NAIROBI this 6th day of June 2024.

A. M. MUTETI

JUDGE

In the presence of

Yussuf: Court Assistant

Applicant present in person

Mr. Mwangi Counsel for the State.

12.00 Noon

Ruling delivered file to be closed.

