



**Gatitu alias Kiragu v Republic (Revision Case E555 of 2022)
[2023] KEHC 21219 (KLR) (21 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 21219 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E555 OF 2022
SM MOHOCHI, J
JULY 21, 2023**

BETWEEN

ANDREW GATTITU ALIAS KIRAGU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant sought to review his sentence, having pleaded guilty and convicted and sentenced to a fine of Kshs 50,000 and upon default to serve imprisonment sentence of eight (8) months for the offence of breaking into a building and committing a felony contrary to Section 306 (a) as read together with Section 306 (b) of the *Penal Code*.
2. The Court has called for and reviewed the entire proceedings in Nakuru CM Criminal case no E.3375 of 2022 with a view of satisfying itself as to the correctness, legality or propriety of the sentence.
3. The Court finds no fault by the trial magistrate who considered the Applicant's 1st offender's status, his mitigation and fined him as the Penal Sanction in the 1st instance.

The application is thus without merit and is accordingly dismissed.

It is so ordered.

SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 21ST JULY 2023

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MOHOCHI S.M

JUDGE

In the presence of



Court Assistant – Schola
State Counsel – Ms. Mburu

