



**Wanjiru v Republic; Nginyo (Intended Interested Party) (Criminal Appeal  
4 of 2020) [2024] KEHC 12867 (KLR) (24 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12867 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
CRIMINAL APPEAL 4 OF 2020  
DO CHEPKWONY, J  
OCTOBER 24, 2024**

**BETWEEN**

**MARY WANJIRU ..... APPELLANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**AND**

**PAUL KINYUA NGINYO ..... INTENDED INTERESTED PARTY**

**RULING**

1. The matter is for mention for parties to take directions on Petition of Appeal dated 13<sup>th</sup> February, 2020. The Appellant is not present and I note that she has never attended court since filing the appeal.
2. I have read through the Petition of Appeal and established that the Appellant was convicted on 31<sup>st</sup> December, 2019 for the offence of Selling Alcoholic Drinks Against Authorized Hours contrary to Section 35(4) of the Kiambu County Alcoholic Drink Control, Act 2018. And on 31<sup>st</sup> January, 2020, the accused was sentenced to a fine of Kshs.30,000.00 and the goods presented as exhibits which had been seized from her forfeited to the State and yet they belonged to an Interested Party.
3. Although the original record of proceedings has never been availed to confirm whether or not the Appellant paid the fine as ordered, it is possible that she may have paid the same because several Production Orders served upon the Office-in-Charge, Langata Women's Prison have returned with an indication that she is not in their custody.
4. In the circumstances, the appeal is hereby marked as abandoned. The matter/file is marked as closed. It is so ordered.



**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 24<sup>TH</sup> DAY OF OCTOBER \*, 2024.**

**D. O. CHEPKWONY**

**JUDGE**

In the presence of:-

Appellant in person – absent

M/S Ndeda counsel for Respondent

Court Assistant - Martin

