



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT KAKAMEGA**

**CRIMINAL PETITION NO. 99 OF 2019**

**BENSON MWANDILI.....PETITIONER**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

1. The Motion in this matter is by the same person, and arises from the same proceedings, as in the Motion in Kakamega HC Miscellaneous Application No. 78 of 2019. It seeks the same orders as those sought in Kakamega HC Miscellaneous Application No. 78 of 2019. The matter herein was, therefore, filed in abuse of court process, and I hereby strike out the same.

2. The Deputy Registrar to cause copy of the ruling to be availed to the petitioner and the office of the Director of Public Prosecutions.

**PREPARED DATED AND SIGNED IN OPEN COURT AT KAKAMEGA THIS 12<sup>TH</sup> DAY OF NOVEMBER 2021**

**W MUSYOKA**

**JUDGE**