



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NANYUKI**

**CRIMINAL REVISION NO.90 OF 2020**

**JOHN NDICHU WANDURA.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Revision of the Original Sentence dated 27.01.2020 in Nanyuki*

*Criminal Case No.1930 of 2017)*

**09.04.2020**

Before Justice H P G Waweru

In Chambers

**ORDER ON REVISION**

1. I have examined the trial court record.
2. The convict herein, JOHN NDICHU WANDURA , was on 27.01.2020 sentenced to a fine of Kshs.10,000= and in default to serve three (3) months imprisonment for the offence of illegal possession of Narcotic Drugs contrary to Section 3(1) & (2) of the Narcotic Drugs and Psychotropic Substance (Control) Act, 1994. He did not pay the fine.
3. Because of the current Coronavirus (COVID -19) crisis in our country, and in an effort to de-congest the prisons, and in exercise of the powers of the Court under Article 159(2) of the Constitution and Section 362 & 364 of the Criminal Procedure Code, I hereby set aside the default sentence and substitute therefore the time already served.
4. The convict shall therefore be set at liberty forthwith unless otherwise lawfully held.
5. It is so ordered.

**DATED AT NANYUKI THIS 9<sup>TH</sup> DAY OF APRIL, 2020**

**H.P.G. WAWERU**

**JUDGE.**

**DEPUTY REGISTRAR**

**NANYUKI HIGH COURT**