

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NANYUKI

CRIMINAL REVISION NO.61 OF 2020

JAMES WAWERU WANJIRU.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Revision of the Original Sentence dated 09.03.2020 in Nanyuki Criminal Case No.272 of 2020)

07.04.2020

Before Justice H P G Waweru

In Chambers

ORDER ON REVISION

1. I have examined the trial court record.
2. The convict herein, JAMES WAWERU WANJIRU, was on 09.03.2020 sentenced to a fine of Ksh.s8,000= and in default to serve six (6) months for the offence of cutting forest produce without authority contrary to Section 64(1) (a) & (2) of the Forest Conservation and Management Act, 2016. 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 Sections 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 7TH DAY OF APRIL, 2020

H.P.G. WAWERU

JUDGE.

DEPUTY REGISTRAR

NANYUKI HIGH COURT