



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NANYUKI**

**CRIMINAL REVISION NO.25 OF 2020**

**NALICKSON MURIITHI GATERO.....APPLICANT**

**VERSUS**

**REPUBLIC .....RESPONDENT**

*(Revision of the Original Sentence dated 24.09.19 in Nanyuki Criminal Case No.876 of 2019)*

**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, NALICKSON MURIITHI GATERO, was on 24.09.2019 sentenced to a fine of Kshs.30,000= and in default to serve ten (10) months imprisonment for the offence of stealing by agent contrary to Section 283(b) of the Penal code. 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**