



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NANYUKI**

**CRIMINAL REVISION NO.41 OF 2020**

**ZACHARINO MUTURE.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Revision of the Original Sentence dated 18.11.19 in Nanyuki Criminal Case No.1477 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 18.11.2019 sentenced to a fine of Kshs.50,000= and in default of serve 12 months imprisonment for the offence of illegal removal of forest produce contrary to Section 64(1)(a) & (2) of the Forest Control 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 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**