

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

CRIMINAL REVISION NO.120 OF 2020

(From Original Conviction and Sentence in Nanyuki Criminal Case No.565 of 2020)

TIMOTHY WACHIRA MWANGI.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

13/07/2020

Coram: Before Waweru, J

(In chambers)

ORDER IN REVISION

1. At the request of the convict herein, **TIMONTHY WACHIRA MWANGI**, I have called for and examined the record of the trial court in respect to the sentence.

2. The convict was convicted upon his own plea of creating a disturbance in a manner likely to cause a breach of the peace **C/S 95(1) (b)** of the Penal Code by threatening to beat his own brother with a rungu.

On 02/06/2020 he was sentenced to a fine of Kshs.10,000/00 and in default to serve three (3) months imprisonment. He did not pay the fine and is serving the default sentence.

3. The sentence (both the fine and the default) was lawful. Because the convict was not a first offender, the sentence was also well-merited. I find no reason to interfere with it.

4. The application or revision is therefore refused. It is so ordered.

GIVEN under my hand and seal of this Honourable Court this 13th day of July 2020

H.P.G. WAWERU

JUDGE.

ISSUED at NANYUKI this 14th day of July 2020.

DEPUTY REGISTRAR

NANYUKI HIGH COURT