

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KIAMBU

CRIMINAL APPEAL NO. 61 OF 2018

REPUBLIC.....APPELLANT

VERSUS

MARTHA MUKAMI

PAUL TWUMASI.....RESPONDENTS

(Being an appeal from original conviction and sentence in criminal Case No. 1184 of 2016 at Chief Magistrate's Court in Kiambu)

R U L I N G

The court has considered the material canvassed in respect of the application filed on 10th December, 2018. On the authority of the decision of the Court of Appeal in **Mark Kibia Njihia v Director of Public Prosecutions [2015] e KLR** and for reasons to be given at the time of judgment in respect of this appeal, I am persuaded that it is mete and just, to grant prayer (3) of motion filed on 10th December, 2019.

The appeal herein is admitted, and I further direct in order to expedite the hearing and determination of the appeal, that the DPP does proceed to file the record of appeal within 30 days of today's date and thereafter the matter be mentioned on 2nd October 2019 to give directions as to the manner in which the appeal will be heard.

DELIVERED AND SIGNED AT KIAMBU THIS 13TH DAY OF JUNE 2019

.....

C. MEOLI

JUDGE

In the presence of:

Mr. Ruiru holding brief for Mr. Kimeru for the 1st Respondent and

Mr. Ndubi for the 2nd Respondent

Ms Ndombi for Appellant