

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAROK

CRIMINAL APPEAL NO 95 OF 2017

GS APPELLANT

VERSUS

REPUBLICRESPONDENT

[Being an appeal from the original conviction and sentence dated 9/11/2016 in the chief magistrate's court at Narok, in criminal case No. 28 of 2016, R. v. GS]

JUDGEMENT ON SENTENCE

1. In view of the fact that the appellant was a minor aged 17 years at the time the offence of defilement was committed, I agree with the recommendation of the probation officer, that he be placed on probation.
2. In view of the said recommendation, I hereby place the appellant on probation for two years.
3. Appellant has to be of good behaviour and has to comply with the conditions of release, failing which the appellant may be brought back for re-sentencing.

Judgement delivered in open court this 2nd day of October, 2018 in the presence of Ms Saika holding brief for Ms Maritim for the appellant and Mr. Omwega for the state.

J. M. Bwonwonga

Judge

2/10/2018