

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

TIGANIA CRIMINAL CASE NO. 1548 OF 2016

REPUBLIC PROSECUTOR

VERSUS

JUDITH GAKII ACCUSED

RULING

I have seen the complaint by one **Lawrence Kamente Nabea**. The accused **Judith Gakii** was charged for the offence of creating disturbance in a manner likely to cause a breach of the peace contrary to **Section 95 (1) of the Penal Code**. She pleaded guilty to the charge and was sentenced under **Section 35 (1) of the PC** by the court, after the court heard the mitigation and exercised its discretion. Discharge under **Section 35 (1) of the Penal Code** is a legal sentence. If the prosecution were dissatisfied, they would have appealed. If the complainant has any new complaint against the accused, he should file it with the police. Otherwise the case is finalized and this court cannot interfere.

DATED, SIGNED AND DELIVERED THIS 6TH DAY OF SEPTEMBER, 2016.

R.P.V. WENDOH

JUDGE

6/9/2016