

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
APPELLATE SIDE
CRIMINAL APPEAL NO 1395 OF 1998
FROM ORIGINAL CONVICTION AND SENTENCE IN CRIMINAL
CASE NO. 2655 OF 1998 OF THE CHIEF MAGISTRATES COURT AT
NAIROBI

ABSHIR ABDULLAHI HILLOWLE.....APPELLANT
VERSUS
REPUBLIC.....RESPONDENT

J U D G M E N T

The appellant was convicted of three offences under the immigration Act Cap 172 Laws of Kenya and sentenced to 3 months imprisonment on each count. On count 4 he was convicted of the offence under the Aliens Registration act and sentenced to 3 months imprisonment. This appeal is against sentence only. I am told he is 17 years old. He has been in prison since 20th November 1998 and he is ready to be repatriated if appeal is allowed.

I allow the appeal by substituting the sentences of 3 months on each count to the period already served by the appellant. He shall be repatriated forthwith from Kenya and the forged passport shall be destroyed. Orders accordingly.

Dated and delivered at Nairobi this 3rd day of December, 1998.

A. MBOGHOLI MSAGHA

JUDGE