

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MACHAKOS

CRIMINAL APPEAL NO 27 OF 1987

MUTISYA.....APPELLANT

V

REPUBLIC.....RESPONDENT

JUDGMENT

I agree with the learned principal state counsel that the sentence of 3½ years imprisonment on this wretched woman who absconded with her employer's cash (not recovered) was manifestly excessive.

The appellant made a clear breast of the offence and was a first offender. She sought forgiveness as her mother had died in May last year.

In her petition of appeal, she mentions about her children, young brothers and aged father. In all the circumstances, I reduce the sentence to 18 months imprisonment.

The appeal is otherwise dismissed.

April 30 ,1987

ABDULLAH J