

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MACHAKOS

CRIMINAL APPEAL NO 49 OF 1987

KIMONYI.....APPELLANT

V

REPUBLIC.....RESPONDENT

JUDGMENT

The appellant was convicted on a charge of assault under section 251 of the Penal Code. The offence is a misdemeanour. Appellant counsel does not challenge the conviction but seeks a reduction of sentence.

Having considered his arguments I am of the view that the sentence is severe and it is set aside and substituted by 14 months imprisonment from the date of judgment.

Order accordingly.

July 3, 1987

TORGBOR

JUDGE