

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MACHAKOS

CRIMINAL APPEAL NO 243 OF 1987

MULI..... APPELLANTS

VERSUS

REPUBLIC..... RESPONDENT

JUDGMENT

August 19, 1987 Torgbor J delivered the following Judgment.

This is an appeal against sentence only. The appellant was charged and convicted for creating disturbance in that he used abusive language against the complainant. He admitted the charge.

In my view, the sentence imposed by the lower court was excessive as the appellant was drunk, and was a first offender and no harm or serious damage of any sort was caused. The sentence is set aside and substituted by a fine of Kshs 500 only.

August 19, 1987

TORGBOR

JUDGE