



Republic v Kiiru (Traffic Case E216 of 2025) [2025] KEMC 8 (KLR) (6 February 2025) (Sentence)

Neutral citation: [2025] KEMC 8 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
TRAFFIC CASE E216 OF 2025
PA NDEGE, SPM
FEBRUARY 6, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

STEPHEN MAINA KIIRU ACCUSED

SENTENCE

1. The accused person herein, Stephen Maina Kiiru, has been convicted upon own plea of the offence of Driving a Motor Vehicle on a Public Road under the Influence of Alcohol Contrary to Section 44(1) of the *Traffic Act*, Cap 403 Laws of Kenya. He has admitted that on 04/02/2025 at about 06.21 pm along Mburu Gichua Road, in Nakuru County, being the driver of motor vehicle Reg. No. KAS 066G make Toyota Matatu, he drove the said motor vehicle while under the influence of alcohol 2.80 mg/l instead of 0.01 mg/l for P.S.V. which exceeded prescribed alcoholic limit thereby exceeded by 2.79 mg/l to such an extent to be incapable of having proper control of the said motor vehicle.
2. He is a first-time offender as no previous records were furnished by the prosecution. He has pleaded for forgiveness. I have looked at the relevant provisions herein. The accused person was driving a public service vehicle, commonly known as matatu at the time while inebriated. I have taken note of the dangers and risks that he posed to himself, his passengers and other members of the public and I do hereby sentence him to a fine of Kshs. 30,000/= and in default to serve 8 months imprisonment. Further pursuant to the provisions of section 44(2) of the *Traffic Act*, I do hereby disqualify him from holding or obtaining a license for a period of 12 months from the date hereof.

14 days Right of Appeal, explained

DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS 06th DAY OF Februray, 2025

ALOYCE-PETER-NDEGE

SENIOR PRINCIPAL MAGISTRATE



In the presence of;

Court interpreter: Janet

Prosecution counsel: Macharia

Accused: Present

