

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT VOI**

**CRIMINAL REVISION NO. E194 OF 2025**

**MAGDALENA KAMUU MWANGI.....**  
**APPLICANT**

**=VERSUS=**

**REPUBLIC.....**  
**RESPONDENT**

**RULING**

1. The Judiciary has been undertaking a decongestion progress in prisons.
2. Although no sentence review report has been filed in respect of this Applicant, she deserves to be granted a chance since she is aged 73 years serving a prison sentence of 6 months.
3. The Applicant stood surety for her son who absconded and she was sentenced to 6 months imprisonment for failing to avail him.

4. Upon perusal of the sentence meted upon the Applicant in this case, this court hereby exercises its jurisdiction under Section 362 of the Criminal Procedure Code and directs that the Applicant's sentence be reduced to the period already served.

5. The Applicant to be released forthwith on account of her advanced age and vulnerability.

**Dated, signed and delivered this 10<sup>th</sup> day of December 2025 in open court at Voi High Court.**

**ASENATH ONGERI**

**JUDGE**

**In the presence of:-**

**Court Assistant: Millicent/Mabishi**

**State Counsel: Mr. Ngigi**

**The Applicant present at Wundanyi Women Prison**