

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAKURU
CORAM: OMOLO, O’KUBASU, J.J.A. & DEVERELL, AG. J.A.
CRIMINAL APPEAL NO. 163 OF 2002

BETWEEN
PETER KORIR NGETICH.....APPELLANT
AND
REPUBLIC.....RESPONDENT

(Appeal from a sentence of the High Court of Kenya at
Nakuru (Mr. Justice A. Visram) dated 30th September,
2002
in
H.C.CR.C. No. 56 of 2001)

JUDGMENT OF THE COURT

The appellant was convicted on his own plea of guilty on a charge of manslaughter contrary to **section 202** as read with **section 205** of the Penal Code. This was an unfortunate incident in which the deceased met his death only for trying to help and stop arguments between two people.

The appellant was sentenced to fifteen (15) years imprisonment. He now pleads with us to reduce the sentence. He tells us that he is aged 23 years.

We have considered the circumstances under which the offence was committed and in our view a sentence of 15 years imprisonment imposed on a young man who readily admitted the charge would appear harsh and excessive. We therefore reduce the sentence to ten (10) years imprisonment.

Made at Nakuru this 22nd day of February, 2005.

R.S.C. OMOLO
.....

JUDGE OF APPEAL

E.O. O’KUBASU

.....

JUDGE OF APPEAL

W.S. DEVERELL

.....

AG. JUDGE OF APPEAL

I certify that this is a true copy of the original

DEPUTY REGISTRAR