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| Case Number:   | crim app 75 of 90  |
| Date Delivered:  | 17 Sep 1990  |
| Case Class:  | Criminal   |
| Court:   | Court of Appeal at Nairobi   |
| Case Action:   | -  |
| Judge:   | Johnson Evan Gicheru, Abdul Majid Cockar, Joseph Raymond Otieno Masime |
| Citation:  | Kariuki v Republic[1990]eKLR   |
| Advocates:   | -  |
| Case Summary:  | -  |
| Court Division:  | -  |
| History Magistrates:   | -  |
| County:  | -  |
| Docket Number:   | -  |
| History Docket Number:   | -  |
| Case Outcome:  | -  |
| History County:  | -  |
| Representation By Advocates:   | -  |
| Advocates For:   | -  |
| Advocates Against:   | -  |
| Sum Awarded:   | -  |
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**REPUBLIC OF KENYA**

**IN THE COURT OF APPEAL OF KENYA**

**AT NAIROBI**

**crim app 75 of 90**

**KARIUKI.....APPELLANT**

**V**

**REPUBLIC.....RESPONDENT**

**JUDGEMENT**

This is an appeal against the summary rejection of the appellant's first appeal to the High Court under section 352 (2) of the Criminal Procedure Code. The appellant's petition was not for summary rejection.

In the circumstances we allow the appeal, set aside the Superior Court's order dated the 11th July, 1989 and order that this matter be remitted to the High Court to be dealt with in accordance with the law.



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