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| Case Number:   | Criminal Revision 49 of 2007  |
| Date Delivered:  | 10 May 2007   |
| Case Class:  | Criminal  |
| Court:   | High Court at Nakuru  |
| Case Action:   | Judgment  |
| Judge:   | Martha Karambu Koome  |
| Citation:  | REPUBLIC v JOSHUA MURIMI & 3 OTHERS [2007] eKLR   |
| Advocates:   | -   |
| Case Summary:  | <b>Criminal practice and procedure-revision</b> -application for revision of sentence-where the accused persons were minors-orders of the court-Criminal Procedure Code section 364 |
| 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 HIGH COURT OF KENYA**  
**AT NAKURU**

**Criminal Revision 49 of 2007**

REPUBLIC ..... PROSECUTOR

**VERSUS**

JOSHUA MURIMI.....1<sup>ST</sup> ACCUSED

JAMES MBUGUA.....2<sup>ND</sup> ACCUSED

JOHN MUTHIGA..... 3<sup>RD</sup> ACCUSED

BERNARD NDUNGU.....4<sup>TH</sup> ACCUSED

**JUDGMENT ON REVISION**

This matter coming up for revision under the Provisions of Section 364 of the CPC and having considered that the persons found guilty in Criminal Case No.3133/06 are minors, I hereby set aside the sentence of eight months imprisonment. I also **set aside** the sentence in Criminal **Case No.3134/2006** so that the sentence of the subjects can be given fresh consideration while bearing in mind the principles of sentencing under the child offences rules.

Accordingly I refer both files **Criminal Case No.3135/06**, **Criminal Case No.3133/06** to the Children's Court for sentencing of the subjects.

**M. KOOME**

**JUDGE**

**10/5/2007**



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