



Malova v Director of Public Prosecutions & 2 others (Miscellaneous Criminal Application E137 of 2024) [2024] KEHC 13228 (KLR) (Crim) (29 October 2024) (Ruling)

Neutral citation: [2024] KEHC 13228 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL
MISCELLANEOUS CRIMINAL APPLICATION E137 OF 2024
DR KAVEDZA, J
OCTOBER 29, 2024**

BETWEEN

KIDAKE ALEX MALOVA APPLICANT

AND

DIRECTOR OF PUBLIC PROSECUTIONS 1ST RESPONDENT

DIRECTORATE OF CRIMINAL INVESTIGATIONS 2ND RESPONDENT

INDEPENDENT POLICE OVERSIGHT AUTHORITY 3RD RESPONDENT

RULING

1. On 6th September 2024, the High court sitting in Nairobi issued orders of anticipatory bail to the applicant. The applicant was also directed to report to the DCIO Kilimani to record a statement. The court directed that the applicant not to be detained pending the conclusion of the investigations and the decision to charge.
2. When the matter came up for hearing today, the court was informed by Counsel for the applicant that the applicant has neither been summoned to record a statement by the respondents nor are any investigations ongoing. The respondents had nothing to say in rebuttal.
3. That being the case, I hereby confirm the orders issued on 6th September 2024 by this court in the following terms:
 - i. The applicant shall not be arrested or detained by the respondents.
 - ii. Should a decision to charge the applicant be made, the applicant shall be directed to report to the relevant court for plea.



- iii. The trial court shall be at liberty to set appropriate bail/bond terms in which case the orders of this court shall automatically lapse.
- iv. The cash bail refunded to the depositer

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 29TH DAY OF OCTOBER 2024

D. KAVEDZA

JUDGE

