



**Wainaina v Republic (Criminal Revision 271 of 2024)
[2024] KEHC 13362 (KLR) (29 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13362 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 271 OF 2024
DR KAVEDZA, J
OCTOBER 29, 2024**

BETWEEN

ANTHONY GITHINJI WAINAINA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted for the offence of Grievous harm contrary to section 234 of the [Penal Code](#). He was sentenced to serve 3 years imprisonment.
2. He has now filed an application seeking revision of sentence. He filed an affidavit in support of his motion. The averments made are that since his incarceration he has suffered from health complications. He urged the court to issue a non-custodial sentence. As for his conduct in prison, the applicant has attended a number of trainings and counselling sessions, which have been instrumental in his rehabilitation process.
3. In view of the foregoing, it is my finding that the applicant is eligible for early release. I therefore find the time served as adequate sentence under the circumstances.
4. The applicant is released on probation for a period of two (2) years. The applicant is directed to report to Kibera Probation office.
5. Orders accordingly.

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

D. KAVEDZA

JUDGE

