



REPUBLIC OF KENYA



**Keruri v Republic (Revision Case E081 of 2023)
[2023] KEHC 22022 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22022 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E081 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

JOSEPH KERURI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This matter has been brought to me under the Prison Decongestion Exercise been undertaken by this court.
2. The Applicant, Joseph Keruri was convicted for the offence of obtaining by false pretence contrary to section 313 of the penal code and sentenced to serve 1- year imprisonment on 23rd March 2023.
3. He has so far served about 6 months in prison.
4. According to the Sentence Review Report filed on 2nd August 2023, the Probation Officer, Newton Majale, recommends that the convict is unsuitable for non-custodial sentence as the community remains uncondusive.
5. The report further states that the inmate is semi-skilled and does farming for a living. The inmate's family members are fed up with his relentless actions and plead with the court not to release him from the prison as a means of taming the unwanted tendencies.
6. The inmate has not undergone any kind of counselling hence no skill has been acquired in prison. The complainant in the case is still bitter having not benefitted from the money he gave out. The area chief is against the inmate's immediate release on the ground that he has four criminal records over similar offences and of which one is still on-going before Molo Law Courts.



7. In light of the above and having taken into consideration, the prison assessment, the inmate's rehabilitation and re-integration, I hereby order the continuance of the convict's custodial sentence until completion.

8. File closed.

DATED, SIGNED & DELIVERED AT NAKURU THIS 22ND AUGUST, 2023.

H.M. NYAGA

JUDGE

In the presence of:

C/A Jeniffer

Ms Murunga for state

Applicant

