



**Kalela v Republic (Criminal Revision E119 of 2024)
[2025] KEHC 8917 (KLR) (20 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 8917 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VOI
CRIMINAL REVISION E119 OF 2024
AN ONGERI, J
FEBRUARY 20, 2025**

BETWEEN

LUCAS KALELA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was charged with the offences of malicious damage to property contrary to Section 339(1) and grievous harm contrary to Section 234 of the *Penal Code*.
2. The Applicant was sentenced to five (5) years imprisonment on 1st February 2023.
3. He appealed to the High Court and his appeal was dismissed on 2nd October 2023.
4. The Applicant has now filed a revision application to this court seeking review of his five years imprisonment for health reasons. He is seeking a non-custodial sentence.
5. The Applicant was charged with an offence that involves violence against a person and the law does not allow such offences to be given a non-custodial sentence.
6. The Applicants appeal having been dismissed he has a right to appeal to the second appellate court which is the Court of Appeal or to serve the remainder of his sentence.
7. The revision application is dismissed and the conviction and sentence upheld.

DATED, SIGNED AND DELIVERED THIS 20TH FEBRUARY 2025 IN OPEN COURT AT VOI.

ASENATH ONGERI

JUDGE

In the presence of:-



Court Assistant: Maina/Millicent

Prosecutor: Mr. Ngigi

The Applicant present in court

