



REPUBLIC OF KENYA



Ndwiga & 11 others v Director of Public Prosecution & 2 others (Criminal Miscellaneous Application E029 of 2025) [2025] KEHC 2030 (KLR) (14 February 2025) (Ruling)

Neutral citation: [2025] KEHC 2030 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL MISCELLANEOUS APPLICATION E029 OF 2025**

**DR KAVEDZA, J
FEBRUARY 14, 2025**

BETWEEN

**PETER MANGA NDWIGA 1ST APPLICANT
ALFRED MWADIME MLOLW 2ND APPLICANT
TARSISIO IRUKI ITUURU 3RD APPLICANT
MALOVA HESBON NYIKURI 4TH APPLICANT
LANGAT KIMUTAI DAVID 5TH APPLICANT
JOHN KIPKEMOI SIGEI 6TH APPLICANT
ANDREW AYARAH OKWACH 7TH APPLICANT
DAVID KALACHI MOYIA 8TH APPLICANT
BERNARD NGUNJIRI MAINA 9TH APPLICANT
DAVID OGEA NYANGAU 10TH APPLICANT
JOHN M. NJUGUNAH 11TH APPLICANT
WILFRED KEMBERO AIMA 12TH APPLICANT**

AND

**DIRECTOR OF PUBLIC PROSECUTION 1ST RESPONDENT
DIRECTOR OF CRIMINAL INVESTIGATIONS 2ND RESPONDENT
INSPECTOR GENERAL OF POLICE 3RD RESPONDENT**



RULING

1. I have gone through the Notice of motion application dated 13th February 2025 and affidavit of Andrew Ayarah Okwach of even date sworn on his behalf and on behalf of his co-applicants.
2. The Applicant has annexed a charge sheet (Annexure AOA-4) at paragraph 4 of the affidavit.
3. According to the said annexure, the applicants' colleagues were charged at Milimani Law Courts on 13th February 2025.
4. It is therefore prudent that this application is filed at Milimani High Court.
5. I accordingly decline to grant the orders and direct that this file be transferred to Milimani High Court immediately.
6. The file shall be placed before the Deputy Registrar (DR) at 2pm today, 14th February 2025 for directions.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 14TH FEBRUARY 2025.

D. KAVEDZA

JUDGE

