



**James v Republic (Criminal Revision 366 of 2024)
[2025] KEHC 3384 (KLR) (18 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3384 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 366 OF 2024
DR KAVEDZA, J
MARCH 18, 2025**

BETWEEN

CHUKWU OZOEMANA JAMES APPELLANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Chukwu Ozoemana James is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
2. The applicant was charged and convicted for the offence of trafficking in a narcotic drugs contrary to section 4(a)(1) of the *Narcotic Drugs and Psychotropic substances (Control) Act*, 1994. He was sentenced to serve fifteen years imprisonment in addition to pay a fine of Kshs. 15 million. The applicant has a balance of 2 years and 11 months on his prison sentence.
3. This court called for a probation report which was favourable. 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. The applicant’s family is also committed to helping him effectively rehabilitate and ensure successful reintegration into the community.
4. In view of the foregoing, it is my finding that the applicant is eligible for early release as the report found in his favour. In my view, the applicant is eligible for early release having a balance of less than 3 years on his prison sentence.
5. However, being a Nigerian Citizen, the applicant shall be released and deported to his country of origin, Nigeria. The Nigerian High Commission shall bear the costs of his deportation.

RULING DATED AND DELIVERED VIRTUALLY THIS 18TH DAY OF MARCH 2025.



D. KAVEDZA
JUDGE

