



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Republic v Mutua (Criminal Revision E131 of 2025)
[2025] KEHC 4793 (KLR) (14 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4793 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL REVISION E131 OF 2025**

RE ABURILI, J

APRIL 14, 2025

BETWEEN

REPUBLIC APPLICANT

AND

KENNEDY MUTUA ACCUSED

RULING

1. On 19/11/2024 the convict Kennedy Mutua was sentenced to serve eight months imprisonment for the offence of malicious damage to property contrary to Section 339 of the [Penal Code](#).
2. The property damaged was a techno phone valued at kshs 13,000/=.
3. He pleaded guilty to the charge.
4. The convict has substantially served the sentence imposed and is due for release on 29/4/2025.
5. He is said to be remorseful and married with children who entirely depend on him.
6. The probation officer's sentence review report dated 11/4/2025 recommends non custodial sentence.
7. As the remainder of the prison term is a few days from today, I exercise discretion under the [Community Order Service Act](#) and order that the convict is discharged from prison unless otherwise lawfully held, Kennedy Mutua is hereby released from prison forthwith.
8. I so order.
9. This file is closed.

DATED, SIGNED AND DELIVERED AT MOMBASA THIS 14TH DAY OF APRIL, 2025

R. E. ABURILI



JUDGE

