



**Republic v Mwero (Criminal Revision E061 of 2025)
[2025] KEHC 4792 (KLR) (14 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4792 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL REVISION E061 OF 2025**

**RE ABURILI, J
APRIL 14, 2025**

BETWEEN

REPUBLIC APPLICANT

AND

CHIKUTA MWERO ACCUSED

RULING

1. The convict Chikuta Mwero was sentenced to serve 18 months imprisonment on 24/11/2022 for the offence of stealing contrary to Section 268 (1) as read with Section 275 of the *Penal code* vide Mombasa Chief Magistrate’s court criminal case no E1506 of 2024.
2. He is aged 22 years old. He is unmarried and a casual laborer. He regrets the offence. He is a first offender and the probation officer’s sentence review report dated 11/4/2025 shows that the is not a danger to the community.
3. He is willing to serve unpaid community service. He is about to complete his sentence on remission on 29/9/2025.
4. The Probation officer recommends non custodial community service at Miritini Chief’s office for the remainder of the prison term.
5. The convict pleaded guilty to the charge which involved theft mobile phone, power bank, two ear phones and cash totaling Kshs. 40,000/=.
6. Thieves are menace in society. However, the convict appears to have learnt a lesson while behind bars. He can be given the opportunity to complete the penalty for stealing through reintegration into the community. This is the spirit of prison decongestion.



7. Accordingly, the convict Chikuta Mwero is hereby released from prison, unless otherwise lawfully held to serve the remainder of his prison term on unpaid supervised community service at Miritini Chief's office, upon his release until 29/9/2025.
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

