Ndulu v Republic (Criminal Revision E008 of 2025) [2025] KEHC 6601 (KLR) (22 May 2025) (Ruling)

Neutral citation: [2025] KEHC 6601 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT MACHAKOS

CRIMINAL REVISION E008 OF 2025

EN MAINA, J

MAY 22, 2025

BETWEEN

JONATHAN NDAMBUKI NDULU ..... APPLICANT

AND

REPUBLIC ..... RESPONDENT

RULING

1. The application herein is for this court consider the period the accused person spent in remand custody. I note from the record that he was sentenced to a fine on both counts and it was only to be in default of the payment of that fine that he was to serve a term of imprisonment. The court must take into account the period spent in remand custody when sentencing the accused person and in this case that was not done. That is curable by computing the sentence of imprisonment to run from the date of arrest to wit 9th July 2024.

   It is so ordered. Case closed.

RULING SIGNED, DATED AND DELIVERED VIRTUALLY ON THIS 22ND DAY OF MAY, 2025.

E. N. MAINA

JUDGE

Order: This Ruling be typed and published so that it is relayed to the Applicant in Kitengela Prison.

In the presence of

Makena for the State

Applicant – Absent

Geoffrey – Court Assistant