



REPUBLIC OF KENYA



**KENYA LAW**  
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**Ojo v Director of Criminal Investigations & 3 others (Criminal Miscellaneous Application E055 of 2025) [2025] KEHC 9030 (KLR) (16 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 9030 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
CRIMINAL MISCELLANEOUS APPLICATION E055 OF 2025  
DO CHEPKWONY, J  
MAY 16, 2025**

**BETWEEN**

**ALI OJO ..... APPLICANT**

**AND**

**DIRECTOR OF CRIMINAL INVESTIGATIONS ..... 1<sup>ST</sup> RESPONDENT**

**INSPECTOR GENERAL, NATIONAL POLICE SERVICE ..... 2<sup>ND</sup> RESPONDENT**

**OFFICE OF THE DIRECTOR PUBLIC PROSECUTION ..... 3<sup>RD</sup> RESPONDENT**

**MARGARET WANJIRU NJUGUNA ..... 4<sup>TH</sup> RESPONDENT**

**RULING**

1. What is before this Court for determination is the Notice of Motion application dated 28<sup>th</sup> March, 2025 which seeks the following orders:-
  - a. Spent.
  - b. That pending the hearing and determination of this interpartes, the Applicant be admitted to anticipatory bail or bond at such reasonable terms and conditions that this Honourable Court may deem just and fit in the circumstances.
  - c. Spent.
  - d. That this Honourable Court be pleased to issue an order to the 1<sup>st</sup> Respondent not arbitrary ambush and effect arrest of the Applicant, through the use of the offenders from the National Police service under the command of the 2<sup>nd</sup> Respondent and 3<sup>rd</sup> Respondent be refrained from commencing any prosecution against the Applicant without having sufficient evidence and facts to support such a process and the 4<sup>th</sup> Respondent desist from issuing threats through her Mobile Phone Number 072XXXX.



- e. That this Honourable Court orders the immediate release of the applicants the properties being held by the 4<sup>th</sup> Respondent Margaret Wanjiru Njuguna to the Applicant unconditionally.
  - f. That this Honourable Court be pleased to issue any orders that it may deem fit.
2. The application came up for interparties hearing on 15<sup>th</sup> April, 2025, whereby the Applicant's counsel orally submitted on their prayer to court. And even though the counsel for the 3<sup>rd</sup> Respondent did not object to the prayers being sought, the court having read through the application and perused the record finds that there is no proof of service of the application upon the Respondents, particularly the 4<sup>th</sup> Respondent, who are crucial parties herein and believe with the information that could be necessary to the just and fair determination of this case.
  3. Therefore, before it can delve into the merits of the application, the Court finds it prudent that the Applicant needs to effect service of the application upon the Respondents for a response, if any to be filed for purposes of shedding light to the issues raised herein before any further orders can issue.
  4. Therefore: -
    - a. The Applicant to serve the Respondent's with the application within 3 days for a response to be filed within fourteen (14) days of service.
    - b. Mentioned on ..... to confirm compliance and further directions.

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 16<sup>TH</sup> DAY OF MAY, 2025.**

**D. O. CHEPKWONY**

**JUDGE**

In the presence of:

Mr. Hamisi counsel for Applicant

M/S Ndeda counsel for the State

Court Assistant - Martin

