



**Assets Recovery Agency v Odero & another; Motorology Limited & another (Interested Parties) (Anti-corruption and Economic Crimes Miscellaneous E030 of 2025) [2025] KEHC 10163 (KLR) (Anti-Corruption and Economic Crimes) (16 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10163 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
ANTI-CORRUPTION AND ECONOMIC CRIMES  
ANTI-CORRUPTION AND ECONOMIC CRIMES MISCELLANEOUS E030 OF 2025**

**LM NJUGUNA, J**

**JULY 16, 2025**

**BETWEEN**

**ASSETS RECOVERY AGENCY ..... APPLICANT**

**AND**

**IRENE AUMA ODERO ..... 1<sup>ST</sup> RESPONDENT**

**DAVID OTIENO MAIRA ..... 2<sup>ND</sup> RESPONDENT**

**AND**

**MOTOROLOGY LIMITED ..... INTERESTED PARTY**

**MASUDI SULEIMAN NCHIDZIRU ..... INTERESTED PARTY**

**RULING**

1. The applicant has moved this court vide the Originating Motion dated the 14<sup>th</sup> July 2024 under Sections 81 and 82 of the *Proceeds of Crime and Anti-Money Laundering Act* and order 51 Rule 1 of the *Civil Procedure Rules*. The Applicant has sought among other orders, preservation orders for motor vehicle registration Numbers KDJ 890X, KDR 697W and Land parcel known as Kwale/Ukunda S.S/2544.
2. The application is premised on the grounds set out on the body of the same and it is supported by the annexed affidavit sworn by Bedford Muriuki which he has deponed as hereunder:-
3. That he is an investigator with the applicant and on the 20/9/2024 officers from Anti-Narcotic Unit based at the Regional Headquarters in Mombasa received some information about a drug trafficker by name Omar Hamisi Mwafrika who they managed to arrest and upon interrogating him, he led the officers to a house situated in Kona Chief Area where he informed the officers that he, together with



- one Irene Auma Odero were storing the narcotic drugs and in the said house, they managed to recover 10 gunny bags containing long rolls with greenish dry plant materials wrapped with khaki papers.
4. That the suspect thereafter led them to the 1<sup>st</sup> Respondent's residence and upon conducting search they recovered log books for motor vehicles KDJ 890X and KBJ 679M registered in the name of Moureen Akinyi Ouma and also copies of charge sheets for Criminal Cases E620 of 2024 *Republic v Doris Achieng Adik and David Omondi Njeiya* and Criminal Case E374 of 2024 *Republic v Omar Hamisi Mwafrika and Irene Auma Odero*.
  5. The samples extracted from the 10 gunny bags were submitted to the Government Chemist and were confirmed cannabis sativa, a narcotic drug under the [Narcotic Drugs and Psychotropic Substances Control Act](#).
  6. That the preliminary investigations confirmed that the 1<sup>st</sup> respondent is the registered owner of motor vehicle registration number KDJ 890X while motor vehicle registration number KDR 697W is registered in the name of the 1<sup>st</sup> Interested Party.
  7. Further that land known as Kwale/Ukunda S.S/315/ is registered in the name of the 2<sup>nd</sup> Interested Party and beneficially owned by the 1<sup>st</sup> and 2<sup>nd</sup> Respondents herein.
  8. That preliminary investigations have also established that the 1<sup>st</sup> respondent is linked to person who have been arrested and charged with the offence of trafficking in narcotic drugs such as Doris Achieng Adik and David Otieno who were arrested in Kisauni in Mombasa County with the offence of trafficking 328 kilograms of narcotic drugs by conveying them in motor vehicle KDA 176T which registration number is registered to Kenya Ports Authority which false registration was designed to evade being traced by law enforcement.
  9. Further than the 1<sup>st</sup> Respondent is linked to another case of Drug Trafficking involving Glavingtone Mutswenje Luyakha who was arrested and charged with trafficking 119.55 kilograms of narcotic drugs by conveying them in motor vehicle KDA 202S.
  10. That the applicant through investigations lined the 1<sup>st</sup> respondent to one Elish Omondi Njeiya who was arrested and charged with the offence of trafficking in narcotics by conveying it in motor vehicle KBJ 679M. the aforesaid motor vehicle is registered in the name of Moureen Akinyi Ouma who is married to the 2<sup>nd</sup> respondent and she is a co-wife to the 1<sup>st</sup> respondent.
  11. That upon conducting analysis of the 1<sup>st</sup> respondent's mpesa No.0714349677 it emerged that between 2020 and 2024 the 1<sup>st</sup> respondent's account transacted in funds to the tune of Kshs.76,633,294.74cts out of which the 2<sup>nd</sup> Respondent a total of Kshs.1,900,237.00 from his mpesa line 254722159788 to the 1<sup>st</sup> respondent.
  12. That the applicant further established that between 21/4/2020 and 25/3/2025, the 1<sup>st</sup> respondent sent a total of Kshs.8,943,450 to Mpesa number 254722159788 registered in the name of the 2<sup>nd</sup> respondent. Further that the 1<sup>st</sup> respondent sent a total of Kshs.1,261,750.00 to paybill number 101217 in the name of Nippon Imports Limited for purchase of motor vehicle KDJ 890X.
  13. In view of the foregoing and having considered the application and the supporting affidavit, I find that the applicant has established reasonable grounds to warrant granting of the orders sought in the application.
  14. The application is allowed in terms of Prayers (2), (3), (4), (5) and (6).
  15. It is so ordered.



DATED, SIGNED AND DELIVERED ON THIS 16<sup>TH</sup> DAY OF JULY 2025.

.....

L.M. NJUGUNA

JUDGE

16/7/2025

