



Tugu v Republic (Revision Case E138 of 2024) [2024] KEHC 4156 (KLR) (9 April 2024) (Ruling)

Neutral citation: [2024] KEHC 4156 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E138 OF 2024**

HM NYAGA, J

APRIL 9, 2024

BETWEEN

PETER KIMANI TUGU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file has been brought up for revision in order to decongest the Nakuru GK Prison.
2. The Applicant was charged with the offence of:
Burglary Contrary to Section 304(2) and Stealing Contrary to Section 279(b) of the *Penal Code*.
The particulars are that;
On the 3rd day of June 2023 at Mimwaita Village in Rongai Sub County within Nakuru County, broke and entered the house of ROBERT KIMTAI TOO with intent to steal therein and did steal from therein, 30kg of beans valued at Kshs. 7,500/=, three cooking pots valued at Kshs. 9,000/=, three pairs of women shoes valued at Kshs. 4,500/=, electrical wires valued at Kshs. 200,000/=, all valued at Kshs. 221,000/= the property of ROBERT KIMTAI TOO.
3. He pleaded guilty and he was sentenced to pay a fine of Kshs. 10,000/= in default one (1) year In jail.
4. The Applicant has served a substantial part of this sentence.
5. The Sentence Review Report by the Probation Officer, Nakuru County found the Applicant suitable for Community Service. It is recommended that he performs the same at PCA Makongeni Primary School.
6. I find this case fit for Revision and order that the sentence of the trial court be revised. The Applicant is now to serve the remainder thereof under Community Service at PCA Makongeni for three (3) months.



7. The terms will be explained to him.

Dated, signed and delivered at Nakuru this 9th day of April, 2024.

H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

NKR H.C.Rev.E138 of 2024 Page 2 of 2

