



**Ndega v Republic (Criminal Revision E031 of 2024)  
[2024] KEHC 7467 (KLR) (13 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 7467 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
CRIMINAL REVISION E031 OF 2024**

**WA OKWANY, J**

**MAY 13, 2024**

**BETWEEN**

**LAMECK KIAGE NDEGA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original Conviction and Sentence in the Chief Magistrates’  
Court at Nyamira, Criminal Case No. MCCR E1068 of 2021 by  
Hon. C.W. Waswa, Resident Magistrate on 1st February 2022)*

**RULING**

1. The Applicant was convicted on his own plea of guilty for the offence malicious damage to property contrary to Section 339 (1) of the Penal Code and creating disturbance in a manner likely to cause a breach of peace contrary to Section 95 (1) (b) of the Penal Code. The trial court sentenced him to serve 5 years’ imprisonment.
2. The Applicant has served 2 years and 1 month of his sentence. The Sentence Review Report filed by the Probation Officer Samwel Chuma on 3<sup>rd</sup> April 2024 recommends a non-custodial sentence.
3. I hereby direct that the Applicant serves a Community Service Order at Nyamasibi Location, Chief’s Office under the supervision of the Chief for the remaining period of his sentence (6 months).

Orders accordingly.

**DATED AND DELIVERED AT NYAMIRA ON THIS 13<sup>TH</sup> DAY OF MAY 2024.**

**W. A. OKWANY**

.....

**JUDGE**



I certify that this is a true copy of the original

Signed

**DEPUTY REGISTRAR**

