



**Republic v Mwalo (Criminal Case E001 of 2024)
[2024] KEHC 8390 (KLR) (11 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8390 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL CASE E001 OF 2024
MS SHARIFF, J
JULY 11, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

JACOB ODHIAMBO MWALO ACCUSED

RULING

1. On the 1st February 2024 a medical report of the accused dated 30.1.2024 was filed in court. Whereas the same indicated that he was fit to take plea, it requested that relatives of the accused to supply the examining doctor one Prof. Omollo with more information of his illness. There was due compliance and a letter dated 9.7.2024 was subsequently authored by Prof. C. Othieno of JOOTRH which disclosed that the accused person suffers from epilepsy and that he needs further investigations of his brain structure and start of anti-epileptic treatment.
2. The prosecution has submitted that the accused person should be produced for purposes of taking plea as the same has been due since 24.1.2024.
3. I will concede to this demand and I do hereby order that the accused person be produced on 25.7.2024 for plea taking; a production order to issue accordingly.
4. In the interim the officer in charge Kisumu Maximum Prison is ordered to ensure that the accused person is put on the necessary anti epileptic treatment and that he be taken to hospital for examination of his brain structure.

DATED, SIGNED AND DELIVERED THIS 11TH DAY OF JULY, 2024.

M. S. SHARIFF

JUDGE

