



**Odindo v Republic (Criminal Revision 226 of 2024)
[2024] KEHC 10826 (KLR) (17 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 10826 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 226 OF 2024
DR KAVEDZA, J
SEPTEMBER 17, 2024**

BETWEEN

YUSUF HARON ODINDO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was brought before me for the decongestion exercise pursuant to the Chief Justice's memo dated 7/12/2022, which provides that inmates who are serving three (3) years imprisonment or less, or those serving long sentences but have a balance of three (3) years or less may be considered for non-custodial sentences.
2. I have gone through the file and noted that applicant was convicted by the trial court for the offence of Robbery with Violence contrary to section 295 as read with 296(2) of the *Penal Code*. He was sentenced to serve 10 years imprisonment.
3. According to the Prison Conduct from Prison dated 15th August 2024, the applicant has served 5 years and 9 months of his sentence, with one year remaining, after accounting for a remission period of 3 years and 4 months.
4. A Probation Report was also filed with respect to the Applicant. According to the said report, the applicant has been receptive to rehabilitation programs and is ready to serve a non-custodial sentence. His family members, particularly his mother, is also ready to facilitate his progressive reintegration upon release.
5. The findings in the probation report are in favour of the applicant and I accordingly find that he is eligible for a non-custodial sentence.



6. I therefore order that the applicant be placed on probation for six (6) months, under the supervision of the Sub-County probation officer, Kibera.

7. File closed.

Orders accordingly.

RULING DELIVERED THIS 17TH DAY OF SEPTEMBER 2024.

D. KAVEDZA

JUDGE

