



**Ntabo v Republic (Revision Case E143 of 2024)
[2024] KEHC 12782 (KLR) (15 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12782 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
REVISION CASE E143 OF 2024
WA OKWANY, J
OCTOBER 15, 2024**

BETWEEN

ISAAC KERIAGO NTABO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief
Magistrates' Court at Nyamira, Criminal Case No. E159 of 2021
by Hon. B. Okong'o, Resident Magistrate on 2nd November 2022)*

RULING

1. The Applicant herein was convicted on two counts of the offence of cutting down crops of cultivated produce contrary to Section 334 (a) of *Penal Code*. The trial court sentenced him to pay a fine of Kshs. 100,000/= and to compensate the complainant as they may agree or, in default, to serve 4 years' imprisonment. The Applicant has now served 1 year and 10 months of his said sentence. The Sentence Review Report filed by Probation Officer Mr. Samwel Chuma on 3rd September 2024 recommends a non-custodial sentence. I therefore direct that the Applicant shall be placed on probation under the Supervision of the Senior Probation Officer at Nyamira, Mr. Samwel Chuma, for the remaining period of his sentence. He is also ordered to report to the Nyamira Probation Office.

Orders accordingly.

**DATED AND DELIVERED VIRTUALLY VIA MICROSOFT TEAMS ON THIS 15TH DAY OF
OCTOBER 2024.**

W. A. OKWANY

JUDGE

