



**Kariuki v Republic (Miscellaneous Criminal Application
E021 of 2022) [2023] KEHC 17746 (KLR) (2 May 2023) (Ruling)**

Neutral citation: [2023] KEHC 17746 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIVASHA
MISCELLANEOUS CRIMINAL APPLICATION E021 OF 2022**

GL NZIOKA, J

MAY 2, 2023

BETWEEN

HASSAN WANGARI KARIUKI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. Pursuant to the ruling delivered in this matter on 12th April 2023, and having considered the pre-sentence report dated 13th April 2023, I find that, the period of one and half years the applicant has been in the custody is adequate for him to have reflected on his conduct.
2. I therefore review the five (5) years custodial sentence herein as follows:-
 - a. He shall serve a full custodial sentence without remission with effect from 21st February 2022 when he was arraigned in court to 2nd May 2023.
 - b. He shall then be released on Probation for a further period of 12 months with effect from 3rd May 2023 to 3rd May 2024. The In charge Probation Department shall file reports in court, quarterly on the progress of the Probationary sentence. The Hon. Deputy Registrar shall ensure the filing of, the reports is complied with.
 - c. If the applicant commits any other offence during the period on Probation, Probationary sentence shall automatic end and be substituted with a custodial sentence, of the remaining period of the 5 years, which will not have been served.

It is so ordered

DATED, DELIVERED, SIGNED ON THIS 2ND DAY OF MAY 2023

GRACE L. NZIOKA



JUDGE

In the presence of:-

Applicant in court/ virtually

Mr. Atika for the Respondent

Ms Ogutu- Court assistant

