



**Kimaru v Republic (Criminal Revision E153 of 2023)  
[2023] KEHC 19071 (KLR) (Crim) (21 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19071 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
CRIMINAL  
CRIMINAL REVISION E153 OF 2023  
DR KAVEDZA, J  
JUNE 21, 2023**

**BETWEEN**

**KENNETH GACHIE KIMARU ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. I have considered the Notice of Motion dated January 26, 2023 filed under Certificate of Urgency and supported by the affidavit of the applicant of even date seeking revision of his sentence. I have also perused the Probation report by Mr Andrew Kunyutu Mungai and find the same to be favourable. I accordingly issue the following orders:
  - a. The applicant’s sentence of 3 years is hereby set aside and substituted with a non-custodial sentence of Community Service Order (CSO).
  - b. The applicant to serve community service for a period of fifteen (15) months at Dandora Police Station under the supervision of the Officer Commanding Station (OCS), Makadara Police Station.

It is so ordered.

**RULING DATED AND DELIVERED VIRTUALLY THIS 21<sup>ST</sup> DAY OF JUNE 2023.**

.....

**D. KAVEDZA**

**JUDGE**

