



**Makumi v Republic (Revision Case E529 of 2022)  
[2023] KEHC 20178 (KLR) (6 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20178 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E529 OF 2022  
SM MOHOCHI, J  
JULY 6, 2023**

**BETWEEN**

**JOHN KURIA MAKUMI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was convicted on his own plea of guilty for malicious damage, convicted and sentenced to 18 months’ imprisonment which he seeks review of.
2. The court has considered the trial proceedings noting that the trial magistrate took into consideration of the pre-sentence report dated February 28, 2022.  
The victim is the father to the applicant.
3. Upon filing of this application the court directed a sentence review report be prepared.
4. The same is favourable recommending community service orders for 6 months at wanyororo chief’s camp.
5. This court observes that the applicant was a first time offender that was not afforded the leased prescribed penalty or alternative to imprisonment.
6. The sentence review report dated January 17, 2023 includes the victim input.
7. The sentence is hereby set-aside and substituted with. The applicant shall serve community service orders at the Wanyororo Chief’s Camp form July 15, 2023 to February 15, 2024.
8. It is so ordered.

**SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 6<sup>TH</sup> JULY 2023**



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**MOHOCHI S.M**

**JUDGE**

**IN THE PRESENCE OF: -**

**COURT ASSISTANT – SCHOLA**

**STATE COUNSEL – MS. MBURU**

