



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Warugo v Republic (Criminal Revision E179 of 2024)  
[2024] KEHC 16558 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16558 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E179 OF 2024  
RE ABURILI, J  
DECEMBER 2, 2024**

**BETWEEN**

**JACOB WARUGO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Nyando Senior  
Principal Magistrate's Court Criminal Case No. E339 of 2024)*

**RULING**

1. On 4<sup>th</sup> June 2024, the convict Jacob Warugo was sentenced to serve 1 year imprisonment in default of a Kshs.20,000 fine imposed for the offence of stealing contrary to Section 268(1) as read with Section 275 of the *Penal Code*. He had pleaded guilty to the charge of stealing a school's sign post valued at Kshs.20,000. He pleaded for leniency.
2. In the spirit of prison decongestion, as the convict has served nearly 5 months of the 1-year imprisonment, I hereby order that the period served is sufficient. He is unless otherwise lawfully held, be conditionally discharged and shall be released forthwith and warned not to reoffend.
3. Signal to issue. File closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 2<sup>ND</sup> DAY OF DECEMBER, 2024**

**R. E. ABURILI**

**JUDGE**

