



**Aloo v Office of the Director of Public Prosecutions & another; Blake
(Interested Party) (Judicial Review Miscellaneous Application E164 of 2025)
[2025] KEHC 18274 (KLR) (Judicial Review) (8 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 18274 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW MISCELLANEOUS APPLICATION E164 OF 2025
RE ABURILI, J
DECEMBER 8, 2025**

BETWEEN

COLINS JUMA ALOO APPLICANT

AND

**THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS 1ST
RESPONDENT**

INSPECTOR GENERAL OF POLICE 2ND RESPONDENT

AND

CHARLES BLAKE INTERESTED PARTY

RULING

1. The application dated 4th day of December 2025 seeks leave of court to apply for judicial review orders challenging the decisions by the ODPP and the DCIO to investigate and to charge the applicant jointly with others, with various offences. The applicant is said to be out of the country at the moment. Other persons of interest in the alleged crimes of obtaining money by false pretenses have been charged in Court and search warrants against them obtained from the Magistrates Court at Kahawa and executed.
2. The applicant claims that he has been made aware, through media outlets, of proceedings in Kahawa MCCR/E125 of 2025 – Republic v. David Onyango Ochanda & Others, in relation to the complaint by the Interested Party on allegations of Conspiracy to Defraud and/or obtaining money by false pretenses and/or money laundering and/or other related offences under Kahawa Police Station Occurrence Book 77/19/11/2025 and Police Case No.121/312/2025.



3. Further, that following the said charges, the Applicant has further learnt that a manhunt has been declared against him and that a Stop order issued to the Immigration Authorities in Dubai, United Arab Emirates directing his interception and arrest should he attempt to depart for Kenya, premised on the erroneous assertion that he is a director of the said Toureg Insurance Agency Limited.
4. He contends that he is neither a director of the said Toureg Insurance Agency Limited, a shareholder nor in any way affiliated with the said entity to warrant his inclusion in the aforementioned alleged charges.
5. That he is presently in Dubai on lawful business engagements but is unable to return to Kenya due to the imminent and unlawful threat of arrest, detention, and prosecution based on false, unverified and misleading information attributing to him alleged offences with which he has no connection.
6. He avers that he has been unlawfully connected to criminal charges for actions he neither committed nor had the capacity to influence.

He contends further that the Respondents' intention to arrest and charge the Applicant on the basis of him being a director of Toureg Insurance Agency Limited is therefore grounded on a grave misapprehension of facts, mistaken identity, and reliance on inaccurate and unverified information.

7. He is apprehensive that his right to liberty is in imminent jeopardy and that unless protected by this Honourable Court, he stands to suffer unlawful arrest, detention, reputational harm, and violation of his fundamental rights and freedoms based on manifest error and abuse of the criminal justice process hence the urgency.
8. Having considered the application as presented, I am satisfied that the application is urgent and ought to be considered expeditiously. I certify it as urgent.
9. I am further satisfied that the application raises a prima facie arguable case which need not necessarily be successful but that on the material presented, the application is not frivolous or hopeless.
10. I grant the applicant leave to apply for judicial review orders sought in the chamber summons dated 4th December, 2025.

The substantive motion to be filed and served upon the respondents and the interested party within 21 days of today.

11. On the prayer that the leave so granted do operate as stay of the decision by the ODPP and DCI, I observe that the applicant is out of the country and that the DCI and ODPP are executing statutory and constitutional mandates of investigating a complaint by the interested party. I Am not satisfied that this Court should at this stage prohibit them from investigating alleged crimes, whether the applicant is a director of Tuoreg company or not. I decline to grant the stay orders sought.
12. The applicant should present himself to the DCI for interrogation or seek for anticipatory bail in the Court exercising criminal jurisdiction, noting that the Judicial Review proceedings can be fast tracked so that the intended substantive motion cannot be rendered nugatory if investigations into alleged crime are allowed to continue and the DCI and DPP makes a decision to charge the applicant should they have sufficient evidence to sustain the charges intended. I decline to grant the stay sought.
13. The main motion to be filed in a fresh Substantive Judicial review file.
14. I make no orders as to costs.
15. This file is closed.



16. I so order.

**DATED, SIGNED & DELIVERED VIRTUALLY AT NAIROBI THIS 8TH DAY OF DECEMBER,
2025**

R.E. ABURILI

JUDGE

