



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Njeri (Criminal Case E021 of 2025)
[2025] KEMC 331 (KLR) (28 October 2025) (Sentence)**

Neutral citation: [2025] KEMC 331 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
CRIMINAL CASE E021 OF 2025
PA NDEGE, SPM
OCTOBER 28, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

KEVIN MWANGI NJERI ACCUSED

SENTENCE

1. The accused person herein, Kevin Mwangi Njeri, was charged with four counts namely:
 - Count I: Malicious Damage to Property contrary to Section 339(1) of the *Penal Code* (Cap 63 Laws of Kenya);
 - Count II: Assaulting a Police Officer while in due execution of duty contrary to Section 103(a) of the *National Police Service Act*, No. 11A of 2011;
 - Count III: Obstructing a Police Officer while in due execution of duty contrary to Section 103(c) of the *National Police Service Act*; and
 - Count IV: Resisting Arrest contrary to Section 103(a) of the *National Police Service Act*.
2. The accused pleaded guilty to all the counts and was accordingly convicted on his own plea. The prosecution confirmed that he is a first-time offender. In mitigation, the accused sought forgiveness and expressed remorse. He further informed the court that he has been in remand since 3rd January 2025, a period of approximately nine (9) months and two (2) weeks. This court is thus obligated to take into account the period spent in custody in computing sentence.
3. I have considered the circumstances of the offence, the mitigation tendered, the *Sentencing Policy Guidelines (2016)*, and the principle of proportionality. The offences arose from the same transaction. I have further considered that the damaged motor vehicle mirror was valued at approximately Kshs 8,000, and non-custodial sentence option is thus appropriate.



4. I thus do hereby sentence the accused person herein as follows: -

Count I – Malicious Damage To Property Contrary to Section 339(1) of the *Penal Code*:
Fine of Kshs 10,000, in default two (2) months imprisonment.

Count Ii – Assaulting A Police Officer In Due Execution Of Duty Contrary to Section
103(a) of the *National Police Service Act*: Fine of Kshs 25,000, in default three (3) months
imprisonment.

Count Iii – Obstructing A Police Officer In Due Execution Of Duty Contrary to Section
103(c) of the *National Police Service Act*: Fine of Kshs 10,000, in default two (2) months
imprisonment.

Count Iv – Resisting Arrest Contrary to Section 103(a) of the *National Police Service Act*:
Fine of Kshs 20,000, in default two (2) months imprisonment.

All sentences shall run consecutively because of the fine option and Right of Appeal within
14 days explained.

**DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS 28th DAY OF
OCTOBER, 2025.**

ALOYCE PETER NDEGE

SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Janet, court interpreter

Macharia present for the Prosecution

Accused Person.

