



Ethics & Anti-Corruption Commission v Wambugu & Muriuki Advocates & another; HFC Limited (Interested Party) (Anti Corruption and Economics Crime Miscellaneous Application E034 of 2025) [2026] KEHC 6349 (KLR) (Anti-Corruption and Economic Crimes) (8 May 2026) (Ruling)

Neutral citation: [2026] KEHC 6349 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
ANTI-CORRUPTION AND ECONOMIC CRIMES
ANTI CORRUPTION AND ECONOMICS CRIME
MISCELLANEOUS APPLICATION E034 OF 2025**

BM MUSYOKI, J

MAY 8, 2026

BETWEEN

ETHICS & ANTI-CORRUPTION COMMISSION APPLICANT

AND

WAMBUGU & MURIUKI ADVOCATES 1ST RESPONDENT

MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND

COOPERATIVES 2ND RESPONDENT

AND

HFC LIMITED INTERESTED PARTY

RULING

1. On 30-07-2025, the applicant secured orders of injunction restraining the respondent from transferring, disposing, wasting or dealing with Kshs 9,352,874.00 and Kshs 161,000,000.00 held in accounts numbers 001505100200002 at DIB Bank and 1274665205 in Kenya Commercial Bank respectively for a period of six months. The orders were issued pursuant to Section 56 of the [Anti-Corruption and Economic Crimes Act](#). That meant that the period of preservation was to lapse on 30-01-2026 or thereabout.
2. On 28-01-2026, the applicant filed a notice of motion dated the same day seeking extension of the orders for a period of ninety (90) days. This is the application to which this ruling relates. In support of the application, the applicant filed an affidavit sworn by Rosemary Syokau on 28th January 2026. In it,



the deponent stated that the applicant has substantively progressed its investigations and only required an extension for a period of ninety days to enable it conclude the investigations. She was categorical that the ninety days were sufficient as the only reason she identified in the affidavit for failure to complete the investigations was non availability of one witness by the name Kellen Kariuki and they have since re-established conduct with her.

3. The respondent neither filed any replying affidavits nor submissions. The applicant filed submissions dated 18th February 2026. In the submissions, the applicant does not argue more than what is contained in the supporting affidavit. It is notable from the prayers of the notice of motion that the applicant had asked for ninety days only and in its submissions, it does not state that it requires more than the period it asked for.
4. When the application was placed before me under certificate of urgency on 28-01-2026, I gave interim orders for extension of the preservation orders to last for thirty days. This period lapsed on or about 30th April 2026 whereas I had extended the interim orders until the delivery of this ruling. This means that the applicant has enjoyed the preservation orders beyond the period it had asked for in its application.
5. I do not think that it will be in order for this court to grant a further extension in the circumstances. Even if I were to consider that eventuality, I am not convinced that the reasons given by the applicant were sufficient to justify a further extension. I believe lack of one witness cannot prevent the applicant from instituting the substantive suit. There is always a room for the applicant to, with a proper explanation, introduce more witnesses in an already existing suit.
6. Based on the above, I find the application dated 28th day of 2026 has been spent and there is no necessity of extending the preservation orders. For the aforesaid reasons, the application is disallowed with no orders as to costs.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 8TH DAY OF MAY 2026.

B.M. MUSYOKI

JUDGE OF THE HIGH COURT.

Ruling delivered in presence of Miss Wambugu for the applicant and Miss Wahome for the 1st respondent.

