



REPUBLIC OF KENYA



**KENYA LAW**  
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**Ondimu v Republic (Criminal Revision E009 of 2025)  
[2025] KEHC 2207 (KLR) (31 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 2207 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
CRIMINAL REVISION E009 OF 2025  
WA OKWANY, J  
JANUARY 31, 2025**

**BETWEEN**

**PIUS NYAMBATI ONDIMU ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original Conviction and Sentence in the Chief Magistrates’  
Court at Keroka, Criminal Case No. MCCR E748 of 2023 by Hon.  
C. Ombija Senior Resident Magistrate on 7th November 2023)*

**RULING**

1. The Applicant was convicted on his own plea of guilty for the offence of house breaking contrary to Section 304 (1) (b) and Stealing contrary to Section 279 (b) of the [Penal Code](#). The trial court sentenced him to serve three (3) years’ imprisonment. The Applicant has served twelve (12) months of his sentence and is remaining with twelve (12) months after remission, to complete the sentence. The Sentence Review Report filed on 13<sup>th</sup> January 2025 by the Probation Officer Mr. Ng’etich Nicholas Kibet does not recommend a non-custodial sentence. I hereby direct that the Applicant shall continue to serve the remainder of his sentence in custody.

Orders accordingly.

**DATED AND DELIVERED AT NYAMIRA ON THIS 31<sup>ST</sup> DAY OF JANUARY 2025.**

**W.A. OKWANY**

**JUDGE**

