



REPUBLIC OF KENYA



**Morwabe v Republic (Revision Case E033 of 2025)
[2025] KEHC 5101 (KLR) (25 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 5101 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
REVISION CASE E033 OF 2025
WA OKWANY, J
APRIL 25, 2025**

BETWEEN

ELLUSTONE JEREMIAH MORWABE APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief Magistrates'
Court at Nyamira, Criminal Case No. E580 of 2018 by Hon.
W.K. Chepseba, Chief Magistrate on 6th November 2024)*

RULING

1. The Applicant was convicted for the offence of obtaining money by false pretence contrary to Section 313 of the *Penal Code*. The trial court sentenced him to pay a fine of Ten Thousand Shillings (Kshs. 10,000/=) and to compensate the complainant in the sum of Forty Thousand Shillings (Kshs. 40,000/=) or to serve one (1) year imprisonment in default. The Applicant has served five (5) months of his sentence and is remaining with three (3) months, after remission, to complete the sentence. The Sentence Review Report filed on 9th April 2025 by the Probation Officer, Mr. Nelson Maroa, recommends a non-custodial sentence. I hereby direct that the Applicant shall serve a Community Service Order for three (3) months at the Nyamira Probation Office under the supervision of the Probation Officer Nyamira.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 25TH DAY OF APRIL 2025.

W.A. OKWANY

JUDGE

