



**Achagulwa v Republic (Revision Case E068 of 2024)
[2024] KEHC 2903 (KLR) (20 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2903 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E068 OF 2024
HM NYAGA, J
MARCH 20, 2024**

BETWEEN

FESTUS ALUDA ACHAGULWA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file has been brought up for revision in order to decongest the Nakuru GK Prison.
2. The Applicant was charged with the offence of:

Malicious damage to property Contrary to Section 339 (1) of the *Penal Code*.

The particulars are that;

On diverse dates between 21st November 2023 to 23rd day of November 2023 at Belbur area in Njoro Sub County within Nakuru County, wilfully and unlawfully damaged five window panes, window grills and one steel door all valued at Kshs. 5,000/=, the property of Mary Waithera Rono.

3. He pleaded guilty and he was sentenced to serve twelve (12) months imprisonment.
4. The Applicant has served a substantial part of this sentence.
5. The Sentence Review Report by the Probation Officer, Nakuru County found the Applicant suitable for Community Service. It is recommended that he performs the same at Egerton Chief's Camp.
6. I find this case fit for Revision and order that the sentence of the trial court be revised. The Applicant is now to serve the remainder thereof under Community Service at Egerton Chief's Camp for five (5) months.



7. The terms will be explained to him.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 20TH DAY OF MARCH, 2024.

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H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

