



REPUBLIC OF KENYA



**Kariuki v Republic (Revision Case E113 of 2024)
[2024] KEHC 2907 (KLR) (18 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2907 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E113 OF 2024
HM NYAGA, J
MARCH 18, 2024**

BETWEEN

JOHN NJAU KARIUKI 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:

Count I

Assault causing actual bodily harm Contrary to Section 251 of the [Penal Code](#).

The particulars are that;

On the 24th day of December, 2023 at Ndenderu “b” village within Chandera Location, in Molo Sub County within Nakuru County, unlawfully assaulted on Miguel Mwangi thereby occasioning him actual bodily harm.

Count II

Malicious damage to property Contrary to Section 339 of the Penal Code.

The particulars are that;

On the 24th day of December, 2023 at Ndenderu “b” village within Chandera Location, in Molo Sub County within Nakuru County, unlawfully damaged one traditional music drum valued at Kshs. 1,400/= the property of MIGUEL MWANGI.



3. He pleaded guilty and he was sentenced to
Count I: Serve one (1) year imprisonment
Count II: Serve one (1) year imprisonment
Both run concurrently
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 Turi 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 Turi Chief's Camp for six (6) months.
7. The terms will be explained to him.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 18TH DAY OF MARCH, 2024.

H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

