



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
Where Legal Information is Public Knowledge

**Getangwa v Republic (Criminal Revision E021 of 2024)  
[2024] KEHC 6506 (KLR) (30 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6506 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
CRIMINAL REVISION E021 OF 2024**

**WA OKWANY, J**

**MAY 30, 2024**

**BETWEEN**

**JOHN NDUBI GETANGWA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original Conviction and Sentence in the Chief Magistrates’  
Court at Nyamira, Criminal Case No. MCCR E540 of 2023  
by Hon. B. Okong’o, Resident Magistrate on 9th June 2023)*

**RULING**

1. The Applicant was convicted on his own plea of guilty for the offence malicious damage to property contrary to section 339 (1) of the *Penal Code*. The trial court sentenced him to pay a fine of Kshs. 30,000/= and further ordered him to compensate the complainant in the sum of Kshs. 30,000/- or in default, to serve 3 years’ imprisonment. The Applicant has served 10 months of his sentence. The Sentence Review Report filed on 3<sup>rd</sup> April 2024 by the Probation Officer Nelson Maroa recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order at Keya Primary School under the supervision of the school head teacher for the remaining period of his sentence.

Orders accordingly.

**DATED AND DELIVERED AT NYAMIRA ON THIS 30<sup>TH</sup> DAY OF MAY 2024.**

**W.A. OKWANY**

**JUDGE**

