



**Katavuka v Republic (Criminal Revision 86 of 2024)
[2024] KEHC 6319 (KLR) (27 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6319 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 86 OF 2024**

DR KAVEDZA, J

MAY 27, 2024

BETWEEN

CLINTON KATAVUKA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was brought before me for the decongestion exercise pursuant to the Chief Justice’s memo dated 7/12/2022, which provides that inmates who are serving three (3) years imprisonment or less, or those serving long sentences but have a balance of three (3) years or less may be considered for non-custodial sentences.
2. The applicant was charged and convicted for the offence of assault causing actual bodily harm contrary to section 251 of the *Penal Code*. He was sentenced to serve three (3) years imprisonment.
3. The probation report brought to court indicates that the applicant has serve 10 months. The probation report was also favourable. Additionally, the report indicates that the applicant is remorseful and prays that he be granted on a community service order.
4. As for his conduct in prison, the applicant has attended a number of trainings and counselling sessions, which have been instrumental in his rehabilitation process. The applicant’s family is also committed to helping him effectively rehabilitate and ensure successful reintegration into the community.
5. In view of the foregoing, it is my finding that the applicant is eligible for early release as the report found in his favour. In my view, the applicant is eligible for a non-custodial sentence.
6. I therefore substitute the sentence of three years imposed and direct the applicant be placed on community service order under the supervision of the Kawangware BP Chief’s Office for a period of twelve (12) months.



RULING DELIVERED VIRTUALLY THIS DAY 27TH DAY OF MAY 2024.

D. KAVEDZA

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JUDGE

I certify that this is a true copy of the original

Signed

DEPUTY REGISTRAR

