



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Omondi v Republic (Criminal Application E117 of 2024)
[2024] KEHC 10198 (KLR) (15 August 2024) (Ruling)**

Neutral citation: [2024] KEHC 10198 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL APPLICATION E117 OF 2024
RE ABURILI, J
AUGUST 15, 2024**

BETWEEN

MAURICE OMONDI APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Maseno SPM
Cr Case No. 1868 of 2015 on 28/10/2019 by C. N. Oruo, SRM)*

RULING

1. The applicant is a convict of the offence of grievous harm under section 234 of the Penal Code and was sentenced to serve ten years in prison. He appealed vide HCRA E033 of 2021 which appeal was dismissed.
2. He seeks orders that the sentence be commuted to probation. There is no ground upon which this court can commute the sentence to probation particularly, the appeal having been dismissed both on conviction and sentence.
3. I dismiss the application dated 13.6.2024 for want of substance.
4. Signal to issue.
5. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 15TH DAY OF AUGUST, 2024

**R.E. ABURILI
JUDGE**

