



REPUBLIC OF KENYA



**Rotich v Republic (Criminal Revision E275 of 2024)
[2024] KEHC 16463 (KLR) (30 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16463 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E275 OF 2024
RE ABURILI, J
DECEMBER 30, 2024**

BETWEEN

JOEL ROTICH APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Tamu
SPM's Court Criminal Case No. E055 of 2024)*

RULING

1. The convict, from the filed probation report, was unsuitable for non custodial sentence for assaulting the complainant who was non forgiving. The offender has now served ten (10) months of the one (1) year imprisonment imposed on 21st February, 2024. The offence was that of assault causing actual bodily harm.
2. He was a first offender and had pleaded for leniency and was remorseful.
3. In the spirit of prison decongestion, as the offender had served a substantial part of the sentence imposed, the remainder of the prison term which is two months is hereby suspended for six months not to reoffend and therefore, unless otherwise lawfully held, Joel Rotich is hereby set at liberty forthwith.
4. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 30TH DAY OF DECEMBER, 2024

R. E. ABURILI

JUDGE

