



REPUBLIC OF KENYA



KENYA LAW
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**Omole v Republic (Criminal Revision E023 of 2022)
[2022] KEHC 12807 (KLR) (8 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12807 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E023 OF 2022
RE ABURILI, J
AUGUST 8, 2022**

BETWEEN

STEPHEN OMOLE APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application seeking revision of sentence, arising from conviction
and sentence in Siaya Chief Magistrates' Court Criminal Case No.
E679/2021 delivered on 26/5/2022 by Hon. L. Simiyu, Principal Magistrate)*

RULING

1. The convict is Stephen Omole. He was convicted and fined Kshs. 30,000/= and in default to serve six months imprisonment for the offence of assault contrary to section 251 of the *Penal Code*. This was on 26/5/2022, barely 3 months ago. He was jointly charged with his wife who paid the fine and was released earlier. The convict herein later paid the fine and he was released from prison.
2. For that reason, as the convict paid the fine imposed on him, he is not available to be considered for community service. CSO order is declined.
3. This file is closed.
4. Orders accordingly.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 8TH DAY OF AUGUST, 2022

R.E. ABURILI

JUDGE

