



REPUBLIC OF KENYA



**Omondi v Republic (Criminal Revision E057 of 2022)
[2022] KEHC 16855 (KLR) (22 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16855 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E057 OF 2022
RE ABURILI, J
DECEMBER 22, 2022**

BETWEEN

FREDRICK ONYANGO OMONDI APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application for sentence revision in Siaya CM's Sexual
Offence Case No. 747 of 2022 delivered by Hon. T.M. Olando, Senior
Resident Magistrate on 5.10.2017 and in Siaya HCRA 25/2017)*

RULING

1. The convict herein is Fredrick Onyango Omondi. He was convicted of the offence of defilement contrary to Section 8(1)(3) of the [Sexual Offences Act](#) on 5/10/2017 by Siaya PM's court and sentenced to serve 20 years imprisonment.
2. He appealed to this court *vide* HCRA 25/2017. The court dismissed the appeal against conviction but reduced the mandatory 20 years imprisonment to 10 years to be calculated from 5/10/2017.
3. He has now served 5 years and has 5 more years to go according to the court records. He is not suitable for prison decongestion sentence revision.
4. I decline to revise sentence.
5. File is closed I so order.

Dated, signed and delivered at Siaya, this 22nd Day of December, 2022

R.E. ABURILI

JUDGE

