



REPUBLIC OF KENYA



KENYA LAW
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**Apome v Republic (Criminal Revision E136 of 2022)
[2022] KEHC 16625 (KLR) (21 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16625 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E136 OF 2022
RE ABURILI, J
DECEMBER 21, 2022**

BETWEEN

ELPHAS OUMA APOME APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for sentence revision in Bondo PM's Criminal Case No. E276 of 2022 delivered by Hon. S.W. Mathenge, Senior Resident Magistrate on 3.6.2022)

RULING

1. The presentence report on the convict Elphas Ouma Apome paints as unsuitable for non-custodial sentence due to his criminal behaviour and his victim mainly are his own parents who he threatens. He demolished and sold his own house hence he has nowhere to stay.
2. I decline to revise the sentence imposed for stealing contrary to section 275 of the *Penal Code*.
3. File closed.

DATED, SIGNED AND DELIVERED AT SIAYA, THIS 21ST DAY OF DECEMBER, 2022

R.E. ABURILI

JUDGE

