



REPUBLIC OF KENYA



KENYA LAW
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**Odhiambo v Republic (Criminal Revision E092 of 2022)
[2022] KEHC 16668 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16668 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E092 OF 2022
RE ABURILI, J
DECEMBER 20, 2022**

BETWEEN

JOSEPH ODHIAMBO ALIAS MAXWEL OMONDI APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application for sentence revision in Ukwala PM Criminal
Case No.637 of 2021 delivered by Hon C.I.Agutu, SRM on 19/8/2021)*

RULING

1. On August 19, 2021, the convict herein JOSEPH ODHIAMBO alias MAXWEL OMONDI was sentenced to serve three (3) years imprisonment for the offences of burglary and stealing. He never appealed. He pleaded guilty to the charge. He was found to be a repeat offender over a similar offence in *Cr Case No 25 of 2021* wherein he had been sentenced to serve six months imprisonment. He had not reformed. In the charges that he faced and was convicted of, he stole nearly the entire household items belonging to the complainant.
2. I find him not suitable for release at this time without a proper report from prisons on his character and conduct.
3. I decline to revise his sentence at this time as he might go back to his usual trade especially during this festive season since he is a recidivist.
4. File closed.
5. I so order.

DATED, SIGNED AND DELIVERED AT SIAYA, THIS 20TH DAY OF DECEMBER, 2022.

R.E. ABURILI



JUDGE

