



REPUBLIC OF KENYA



**Oduor & 3 others v Republic (Criminal Revision E070 of 2022)  
[2022] KEHC 16729 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16729 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E070 OF 2022  
RE ABURILI, J  
DECEMBER 20, 2022**

**BETWEEN**

**LAWRENCE ODUOR ODUOR ..... 1<sup>ST</sup> APPLICANT  
ROBERT ONYANGO ODHIAMBO ..... 2<sup>ND</sup> APPLICANT  
ERICK OTIENO WAYODI ..... 3<sup>RD</sup> APPLICANT  
MICHAEL OMONDI OKOYO ..... 4<sup>TH</sup> APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*((Being an Application for sentence revision in Siaya CM's Criminal Case No. 252 of 2022 delivered by Hon. B. Limo, Senior Resident Magistrate on 6.10.2022))*

**RULING**

1. On 6/10/2022, the convicts herein Lawrence Oduor Oduor, Robert Onyango Odhiambo, Erick Otiemo Wayodi and Michael Omondi Okoyo were sentenced to serve 3 years imprisonment each for the offence of killing a he-goat animal with intent to steal it. They had pleaded guilty to the charge. They were arrested on 17/9/2022.
2. At the time of sentencing, the presentence reports were filed in court showing that the complainant had unconditionally wished to withdraw the complaint against the convicts but the local administration resisted on account that the convicts are known to be persons of bad reputation.
3. The convicts have served about 3 months from date of arrest.
4. In the spirit of prison decongestion as the complainant had no issue with the convicts serving non-custodial sentence, although Lawrence Oduor has a previous conviction, I revise the prison term imposed and order that the convicts Lawrence Oduor Oduor, Robert Onyango Odhiambo, Erick



Otieno Wayodi and Michael Omondi Okoyo herein shall, unless otherwise lawfully, be released to serve community service for a period of 9 months at the nearest chiefs' offices and police stations/posts to be identified by the probation officer.

5. Each convict shall serve at a different location where there is a police officer who shall supervise them for community service order.
6. File closed.
7. I so order.

**DATED, SIGNED AND DELIVERED AT SIAYA, THIS 20<sup>TH</sup> DAY OF DECEMBER, 2022**

**R.E. ABURILI**

**JUDGE**

