



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

**Oloo v Republic (Criminal Revision E088 of 2022)
[2022] KEHC 16734 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16734 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E088 OF 2022
RE ABURILI, J
DECEMBER 20, 2022**

BETWEEN

MAURICE OTIENO OLOO APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application for sentence revision in Ukwala PM Criminal
Case No. 611 of 2020 delivered by Hon C.I Agutu, SRM on 16/3/2022)*

RULING

1. On March 16, 2022 the convict herein Maurice Otieno Oloo was sentenced to serve five (5) years imprisonment for the offence of grievous harm contrary to section 234 of the *Penal Code*. He pleaded not guilty. He has only served nine months of the five years imprisonment.
2. He does not qualify for prison decongestion as the sentence imposed was too lenient considering the maximum of life imprisonment that he faced. In addition, the offence was so aggravated and the convict is a repeat offender having killed his primary victim of the offence he also cut off the hand of his son.
3. He is a recidivist who served a seven-year jail term for housebreaking and stealing in 2007 He has no fixed abode after his house collapsed due to lack of maintenance. He is described in the pre-sentence report as a social misfit and ready to kill.
4. He is also facing a robbery with violence criminal case vide Ukwala PM Cr Case No 672 of 2020. He is described as not being remorseful at all.
5. The convict is a dangerous person. He is not suitable for prison decongestion. I decline to revise his sentence.
6. File closed.



7. I so order.

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

RE ABURILI

JUDGE

