



REPUBLIC OF KENYA



**KENYA LAW**  
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**Otieno v Republic (Criminal Revision E103 of 2022)  
[2022] KEHC 16824 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16824 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E103 OF 2022  
RE ABURILI, J  
DECEMBER 20, 2022**

**BETWEEN**

**ROMANS AQUILLA OTIENO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an Application for sentence revision in Bondo PM Criminal Case No. E694 of 2022 delivered by Hon P. Nandi, Principal Magistrate on 15/11/2022)*

**RULING**

1. On November 15, 2022 the convict herein Romans Aquilla Otieno was sentenced to a serve one-year imprisonment for the offence of malicious damage to property valued at kshs 43, 000 the property of his biological mother. He pleaded guilty to the charge and the presentence report describes him as a 32 year old very stubborn and violent person whose presence at home is a serious threat to the life of his mother whom he does not respect and that he humiliates her. That he has threatened his mother and step mother with death saying he was preparing their graves and that he is addicted to drugs hence his being kept away will help him get off the drugs. His wife is said to have left him because of his bad character.
2. I find the convict not suitable for non-custodial sentence as he is a threat to the lives of two old women who would have relied on the convict to protect them. Let the convict reform in prison and get off the drugs before he can be released back into the society.
3. I decline to review his sentence.
4. File closed.
5. I so order.

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



**R.E. ABURILI**  
**JUDGE**

