

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION NO. E015 OF 2021

CORAM: R.E. ABURILI, J

ENOCK ONYANGO AMUNO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application for Revision of sentence against sentence in Siaya Principal Magistrate Court

Cr. Case No. 390 of 2020 on 02/03/2021 Hon. J.O. Ongondo, Senior Principal Magistrate

AND Siaya Criminal Revision No. E005 of 2021 dated 07/04/2021)

RULING

1. The convict Enock Onyango Amuno was convicted of the offence of grievous harm vide Siaya PM Cr. Case No. 390 of 2020. He was sentenced to serve 2 years imprisonment. He never appealed. Vide revision file No. E005/2021, the Prosecution applied under Section 362 of the Criminal Procedure Code for revision of sentence. After a full hearing of the convict and the prosecution, this court allowed the application for revision of sentence and enhanced it to fifteen (15) years imprisonment calculated from 23/11/2020. This was vide judgment of this court delivered on 7/4/2021, barely two months ago.

2. The file is again back to this court seeking for sentence revision for prison decongestion, despite applying for and being supplied with copies of court proceedings in Cr. Revision E005 of 2021 on 15/6/2021.

3. I find this request to be an abuse of court process and a mockery of justice. The request for sentence revision for prison decongestion on a 15 years' imprisonment imposed is hereby declined and dismissed.

4. File closed.

5. Orders accordingly.

Dated, signed and Delivered at Siaya this 30th Day of June, 2021

R.E. ABURILI

JUDGE