

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION CASE NO. E017 OF 2021

GORDON ODUNGA OMONDI.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Application for sentence revision from the judgment, conviction and sentence in

SIAYA P.M'S MAGISTRATE'S COURT in Cr Case No. E08 of 2018 delivered on

25th July 2019 by Hon. J.O. Ong'ondo – Senior Principal Magistrate)

RULING

1. The Convict **Gordon Odinga Omondi** is serving 3 years imprisonment imposed on 25.7.2019 for the Offence of grievous harm. He seeks for sentence revision for Prison decongestion. I have perused the trial court record and the presentence and post-sentence Probation reports.
2. The offence of grievous harm attracts a maximum of life imprisonment upon conviction. The matter does not fall within **Section 3(1) of the Community Service Orders Act**. The offence is serious as it borders on Robbery with Violence from the circumstances given leading to the Commission of the offence. The Convict denied the offence and went through a full trial. There are no reasons for revision of that sentence. The Convict had the opportunity to appeal if he found the sentence harsh.
3. I find the sentence imposed was lawful and lenient. I decline to interfere with it. The application for sentence revision is dismissed.
4. File closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 25TH DAY OF JUNE, 2021

R. E. ABURILI

JUDGE