



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**CRIMINAL REVISION NO. E012 OF 2021**

**CORAM: R.E. ABURILI, J**

**SANDE OMONDI OKELLO.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Being an Application for Revision of sentence in Siaya Senior Principal Magistrate Court's Criminal Case No. 196 of 2020 on 10/9/2020 by Hon. Muthoni M. Mwangi, Resident Magistrate)*

**RULING**

1. The convict **Sande Omondi Okello** is serving 18 months imprisonment for stealing a motorcycle valued at Kshs. 92,000/=. He has not appealed. He was given an option of a fine but he has not raised the said fine.
2. Although the Probation Officer recommends Community Service Order, the offence for which the offender was convicted attracts a maximum of seven years imprisonment hence Section 3(1) of the Community Service Orders Act does not apply or benefit him. Accordingly, the request for sentence revision is declined and dismissed.
3. Convict to serve sentence imposed to completion.
4. Orders accordingly.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 25<sup>TH</sup> DAY OF JUNE, 2021**

**R.E. ABURILI**

**JUDGE**