

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION NO. E014 OF 2021

CORAM: R.E. ABURILI, J

TOBIUS APINA OTIENO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application for Revision of sentence in Siaya SPM Court's

Criminal Case No. E177 of 2021 on 10/2/2021 by Hon. J.O. Ong'ondo,

Senior Principal Magistrate)

RULING

1. The convict Tobius Apina Otiemo was convicted for the offence of manufacturing alcoholic drinks on his own Plea of guilty and sentenced to a fine of Kshs. 51,000 in default to serve one year imprisonment. This was on 10/2/2021 by Hon. J. Ong'ondo, Senior Principal Magistrate.
2. The trial court record shows that he paid a reduced fine of Kshs, 41,792 on 10/4/2021 after serving part of the prison term and was released from prison.
3. Accordingly, this application for sentence revision as filed vide Probation Report of 11/6/2021 is overtaken by events.
4. It is dismissed and file closed.
5. Orders accordingly.

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

R.E. ABURILI

JUDGE