



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**CRIMINAL REVISION 90 OF 2019**

**JACKSON YOHANA MAKU.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**(Being application for sentence revision in Siaya Principal Magistrate's Court**

**Cr. C No. 481 of 2019 dated 17.10.2019)**

**RULING**

1. I have considered the application for sentence revision, the circumstances under which the offence was committed and the fact that the convict is a first offender.
2. I have also noted that the sentence imposed was lenient and lawful. Prior to sentencing, a Probation report recommended Probation sentence hence the trial court meted out sentence after considering the Probation Report.
3. However, as recommended by the probation officer for the second time in the recent report filed in court on 28/1/2020, the convict can benefit from guiding and counselling to refrain from self-help methods against the employers. The property stolen were recovered.
4. I allow the application for revision of 2 years imprisonment and substitute it with an order that the convict Jackson Yohana Maku shall serve probation for 15 months to be closely supervised by the Probation Officer, Narok in Kajiado County and the probation officer to file quarterly reports to this Court on compliance with Probation terms by the convict.
5. Orders accordingly.

**Dated, Signed and Delivered at Siaya this 29<sup>th</sup> day of January 2020**

**R.E. ABURILI**

**JUDGE**