



**REPUBLIC OF KENYA**

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

**HC. CRIMINAL REVISION NO. 94 OF 2019**

**(CORAM: R. E. ABURILI - J.)**

**MAURICE OMONDI OTIENO.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Being an Application for Revision of sentence delivered vide Criminal Miscellaneous Case 1073 of 2019 of PM's Court at SIAYA Law Courts dated 25.11.2019 before Hon. M. Mwangi, RM)*

**RULING**

1. I have considered the application for revision of sentence and the affidavit in support.
2. I observe that the Applicant is serving Community Service Order for assault and was only requesting to be considered to serve the same near his home area as he cannot afford Kshs. 400/= fare daily to Siaya Law Courts to perform Community Service Order.
3. I have noted that the Probation Report filed on 14/1/2020 recommended for CSO at Hawinga Health Centre which is a walking distance from the Applicant's home.
4. I am aware of economic hardships faced by people and therefore I exercise discretion and revise the CSO order committing the Applicant **Maurice Omondi Otieno** to CSO for 18 months at Siaya Law Courts, and substitute it with an order that the Applicant/Convict shall serve the remainder of the CSO term of 18 months initially imposed at Hawinga Health Centre and the Probation officer Siaya to effect supervision as appropriate.
5. Orders accordingly.

**Dated, Signed and Delivered at SIAYA this 27<sup>th</sup> Day of January 2020**

**R.E. ABURILI**

**JUDGE**