



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**CRIMINAL REVISION NO. 10 OF 2020**

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

**JOHN ONGAGA OWITI.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**(Being an Application for revision of sentence vide Principal Magistrate's Court, Bondo Criminal Case No. 1193 of 2018 dated 4.10.2019 before Hon. S. Mathenge, Resident Magistrate)**

**RULING**

1. The convict **JOHN ONGAGA OWITI** viciously assaulted the Complainant nephew under his care and even tied his hands and hanged him upside down on the ceiling board. The Complainant could have suffered fatal injuries. The offence is serious and traumatizing for the complainant victim who did not deserve such brutality.
2. The 12 months imprisonment meted is lawful and lenient. The convict is a brutal care giver, let him remain in prison to be helped to manage his anger, to be rehabilitated and reformed before being released back into the community.
3. I decline to request for sentence revision. I dismiss it.
4. Orders accordingly.

**Dated, signed and Delivered at Siaya, this 20<sup>th</sup> Day of March, 2020.**

**R.E. ABURILI**

**JUDGE**