



**REPUBLIC OF KENYA**

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

**CRIMINAL REVISION CASE NO. 10 OF 2019**

**(CORAM: R. E. ABURILI – J.)**

**FREDRICK OWINO WALOGA.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

***((Being an Appeal against sentence and conviction dated 20.10.2010 in PM Criminal Case No. 42 of 2019 in Ukwala Law Court before Hon. G. Adhiambo – SRM).))***

**RULING**

1. I have considered the application for revision of sentence of 12 months by the convict Fredrick Owino Walogo.
2. I have given equal consideration of the resentence revision report dated 17.4.2019 filed by the Probation Officers, Siaya, Ms. Rhoda Wanyonyi.
3. The report is favourable to the convict who was convicted on his own plea of guilty for the offence of Housebreaking and stealing and sentenced to serve 12 months imprisonment on each limb totaling 24 months imprisonment.
4. The convict has not appealed against the conviction and sentence.
5. According to the Probation Report, non-custodial sentence will assist him reform and fend for his family which is suffering.
6. The Applicant convict must bear the consequences of his uncivil behavior. He must learn to respect people' s property sentence was for the above reasons, I order that the convict Fredrick Owino Walogo shall serve Probation for 12 months with effect from the date of his release from Prison upon service of this order in order to be guided and counseled by the Probation Officer.
7. In breach of the Probation terms, he shall be arrested and returned to Prison to serve full Prisons terms.
8. Orders accordingly.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 30<sup>TH</sup> DAY OF APRIL, 2019.**

**R. E. ABURILI**

**JUDGE**