

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CRIMINAL REVISION NO. 102 OF 2019

TOM JASPER ADINO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application for Revision of sentence against sentence in Criminal Case No. 972 of 2019 at Siaya Principal Magistrate's Court, delivered on 18.9.2019)

RULING

1. The convict Tom Jasper Adino was convicted on 9/10/2019 for the offence of being in possession of narcotic drugs contrary Section 3(2) of the Narcotics and psychotropic substances Drugs Control Act No. 4/1994 vide Siaya PM Cr. Case No. 972/2019. He was sentenced to serve 6 months in prison for defaulting a fine Kshs. 20,000/=.
2. He has already served 2 months of the prison term. The sentence is lawful and lenient. However, I exercise judicial discretion in sentence revision to decongest the prison and order for conditional discharge of the convict Tom Jasper Adino not to commit any offence in the next 6 months and in breach thereof he shall be sent to prison to complete the remaining term.
3. File closed.
4. Orders accordingly.

Dated, signed and delivered at Siaya this 20th Day of December 2019

R.E. ABURILI

JUDGE