

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

HC. CR. REV. NO. 128 OF 2018

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

LUKA OMONDI OMULE.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

JUDGMENT

The Convict **Luka Omondi Omole** was convicted and sentenced by Bondo PM's court for the offence of *Defilement contrary to Section 8(1)(4) of the Sexual Offences Act No. 3 of 2006*. This was in 2014 but his documents on record do not show the date.

He was sentenced to serve 10 years imprisonment. He never appealed but on 3/5/2018 he applied for revision of sentence on medical grounds claiming that he is sick and twice operated on at Jaramogi Oginga Odinga Referral Hospital.

He claims that he has stomach and other related diseases and that his dreams of going to University should not be thwarted.

The offence of defilement defaces and dehumanizes the victim who lives with permanent trauma. Ten years imprisonment is lawful and lenient.

I decline the request for review of sentence and order that the convict shall serve his full deserved prison sentence. The pain caused to the victim of defilement can never be repaired of any amount of apology or monetary compensation.

The application for revision is dismissed.

Dated, Signed and Delivered at SIAYA this 31ST day of August 2018.

R.E. ABURILI

JUDGE