

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

CRIMINAL REVISION NO. 29 OF 2016

NICHOLAS KOOMEAPPLICANT

VERSUS

REPUBLIC.....RESPONDENT

REVIEW ORDER

The applicant herein, **Nicholas Koome** applied to this court for review of his sentence. He was charged with the offence of stealing, contrary to **Section 275 of the Penal Code**, convicted on his own plea and the court sentenced him to 10 months imprisonment. The applicant was said to be a first offender. The court called for a probation officer's report. It has been disclosed that the complainant was compensated by the applicant's parents. The applicant was sentenced on 12/8/2016. So far, he has served one and a half months in jail. Taking into account the fact that he pleaded guilty, he is a first offender, is in college and that the complaint has been compensated, the trial court should have considered a non-custodial sentence.

I hereby review the sentence to include the period already served and the applicant to serve 6 months on probation.

It is so ordered.

DATED, SIGNED AND DELIVERED THIS 28TH DAY OF SEPTEMBER, 2016.

R.P.V. WENDOH

JUDGE

28/9/2016