

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 229 OF 2013

(BEING A REVISION IN THE CONVICTION AND SENTENCE ON 09.07.2013 BY THE HONOURABLE SENIOR PRINCIPAL MAGISTRATE, J.KWENA AT BOMET IN CRIMINAL CASE NO.632 OF 2013)

RUSIA ROP.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

(BEFORE HON. JUSTICE BYRAMONGAYA ON FRIDAY 18TH OCTOBER, 2013)

RULING ON REVISION

This is the Ruling on revision under **Sections 362** and **364** of the **Criminal Procedure Code Cap 75** and **Section 8 (2)** of the Community Service Orders Act, 1998.

The applicant was convicted to serve for a term of 5 months and has already served 4 months imprisonment. The probation report shows that the applicant is remorseful. The complainant was a relative namely a brother in-law and the family is keen to promote reconcilliation.

In the circumstances of the case the trial court's sentence is altered and the applicant is ordered to serve the community for 12 days under the head teacher at Masek Primary School.

Signed, dated and delivered in court at Kericho this Friday, 18th October, 2013.

BYRAM ONGAYA

JUDGE