

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MACHAKOS
Criminal Revision Case 246 of 2008

JEFF KATONGOLE ACCUSED

VERSUS

REPUBLIC

REVISION

1. On the intervention of the Chairman National Committee on Community Service Orders the Hon. Mr Justice J.B Ojwang and having seen his letter dated 31st October 2008, it is apparent that the Kajiado G.K Prison is overwhelmed by the number of petty offenders in detention and the over congestion is causing undue injustice to all concerned.
2. Having identified the subject in this matter as one such offender I will exercise discretion and revise the sentence of: Count 1: A fine of Kshs.20,000/= or in default six (6) months imprisonment, Count 2: A fine of Kshs. 5,000/= or in default three (3) months imprisonment and instead order that the subject be forthwith repatriated back to Uganda and his prison term is set aside.
3. The Officer-in-Charge, Kajiado G.K. Prison to ensure his immediate release and repatriation as aforesaid.
4. Orders accordingly.

Dated and delivered at Machakos this 17th day of December 2008.

ISAAC LENAOLA

JUDGE