

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT KISII

CRIM APP 31 OF 03

JOTHAM OOKO ONDUSO..... APPELLANT

VERSUS

REPUBLIC RESPONDENT

JUDGMENT:

It was overwhelmingly proved that the appellant misrepresented himself to PW5 that he was an employee of Telkoms and thereby got shs.500/= under the pretext that he would install a telephone line for PW5.

Accordingly conviction on that count is safe and the appeal against it is dismissed. The offence is prevalent in this area and therefore I uphold the deterrent sentence of 18 months imprisonment meted out to this appellant. It means that the appeal is dismissed in its entirety.

DATED and delivered on the 23rd of May 2003

I.C.C. WAMBILYANGAH

JUDGE