



REPUBLIC OF KENYA



**Republic v Odele & another (Criminal Revision E071 of 2025)  
[2025] KEHC 4795 (KLR) (14 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4795 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
CRIMINAL REVISION E071 OF 2025  
RE ABURILI, J  
APRIL 14, 2025**

**BETWEEN**

**REPUBLIC ..... APPLICANT**

**AND**

**DENNIS OMONDI ODELE ..... 1<sup>ST</sup> ACCUSED**

**MZEE ALI JUMA ..... 2<sup>ND</sup> ACCUSED**

**RULING**

1. The convict Dennis Omondi Adele was sentenced to serve 12 months imprisonment on 9/10/2024 for the offence of stealing contrary to Section 268 (1) as read with Section 275 of the [Penal Code](#) vide Shimo la Tewa Magistrate's court in Criminal case no E1104/2024.
2. The matter before me for sentence review under the [Community Service Orders Act](#).
3. The probation officer Mr. Boytone Omondi filed a report dated 11/4/2025.
4. The convict stole clothes valued at Kshs. 20,000/=. The property of Fatma Juma Yanus.
5. He pleaded guilty to the charge and initially the report by the probation officer filed on 9/10/2024 was negative on the non-custodial sentence.
6. He was said to be detached from his family hence it would be challenging to supervision.
7. He showed no remorse and displayed unwillingness to change.
8. He has now given a different perspective. That he is married with two children and his wife is disabled and relies on well-wishers.
9. He is also partially paralyzed on one side of the body.
10. That he has reformed while in prison.



11. He is due for release on 9/6/2025.
12. He has substantially served the 12 months imprisonment as he could not raise the fine of Kshs. 100,000/= imposed.
13. He is a first offender.
14. In view of his health issues, I hereby order that the sentence served is sufficient punishment.
15. I exercise discretion under the *community service orders Act* and discharge the convict Dennis Omondi Adele from prison unless otherwise lawfully held, the convict is hereby released from prison.
16. I so order.
17. This file is closed.

**DATED, SIGNED AND DELIVERED AT MOMBASA THIS 14<sup>TH</sup> DAY OF APRIL, 2025**

**R. E. ABURILI**

**JUDGE**

