



REPUBLIC OF KENYA



**KENYA LAW**  
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**Achieng v Republic (Criminal Revision E133 of 2024)  
[2024] KEHC 10616 (KLR) (12 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 10616 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E133 OF 2024  
RE ABURILI, J  
JUNE 12, 2024**

**BETWEEN**

**DAMARIS ACHIENG ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Winam Senior  
Principal Magistrate's Court Criminal Case No. E385 of 2024)*

**RULING**

1. On 28<sup>th</sup> May 2024, the convict Damaris Achieng was sentenced to a cumulative fine of Kshs 15,000 in default to serve 9 months imprisonment on two counts of creating disturbance in a manner likely to cause breach of the peace and malicious damage to property. This was vide Winam SPM Criminal Case No E385 of 2024.
2. She is serving prison terms which run concurrently and due for release on 28<sup>th</sup> September 2024.
3. As the she has substantially served the prison term imposed, I hereby order that in the spirit of prison decongestion, the prison term unserved is suspended for 30 days.
4. Unless otherwise lawfully held, the convict Damaris Achieng is hereby set at liberty forthwith.
5. Signal to issue forthwith.
6. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 12<sup>TH</sup> DAY OF JUNE, 2024**

**R. E. ABURILI  
JUDGE**

