



REPUBLIC OF KENYA



**Onyango v Republic (Criminal Revision E135 of 2024)
[2024] KEHC 10624 (KLR) (10 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 10624 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E135 OF 2024
RE ABURILI, J
SEPTEMBER 10, 2024**

BETWEEN

MONICA ONYANGO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Winam Senior
Principal Magistrate's Court Criminal Case No. E271 of 2024)*

RULING

1. The convict Monica Onyango was fined Kshs.20,000 in default, to serve one (1) year imprisonment for the offence of being found in possession of 20 litres of changaa, without a licence.
2. This was on 16th April 2024 vide Winam SPM Criminal Case No. E271 of 2024.
3. She has not paid the fine. She has now been in prison for over 4¹/₂ months and due for release on 16th December 2024. She pleaded guilty to the charge.
4. No presentence report was filed. There is no evidence that she was a repeat offender.
5. In the spirit of prison decongestion, as the convict has only 3 months to complete sentence, I revise the sentence imposed and order that the remainder sentence unserved is suspended for six (6) months.
6. Therefore, unless otherwise lawfully held, the convict Monica Onyango is hereby set at liberty forthwith.
7. Signal to issue.
8. This file is closed.
9. I so order.



DATED, SIGNED AND DELIVERED AT KISUMU THIS 10TH DAY OF SEPTEMBER, 2024

R. E. ABURILI

JUDGE

