



**Aenda v Republic (Criminal Revision E071 of 2023)  
[2023] KEHC 23871 (KLR) (6 October 2023) (Ruling)**

Neutral citation: [2023] KEHC 23871 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E071 OF 2023  
RE ABURILI, J  
OCTOBER 6, 2023**

**BETWEEN**

**HENRY OUMA AENDA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Chief  
Magistrate Criminal Case No. E1000 of 2022 at Kisumu)*

**RULING**

1. Henry Ouma Aenda is a convict *vide* Kisumu Chief Magistrate Criminal Case No. E1000 of 2022 for the offence of stealing motor vehicle parts. He was sentenced to serve three (3) years imprisonment.
2. He is a repeat offender who absconded probation in a previous conviction of stealing. He has no family ties. He left his home in Busia County for street scavenging in Kisumu City where he picks and sells scrap metals.
3. He is 44 years and unmarried with no children and no obligation to third parties.
4. Non-custodial sentence will not serve any purpose as he is incapable of being supervised.
5. In the premises, I decline to revise the prison sentence imposed on the convict Henry Ouma Aenda and order that he completes the three (3) years prison term meted out.
6. I so order.
7. This file is hereby closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 6<sup>TH</sup> DAY OF OCTOBER, 2023**

**R. E. ABURILI**



**JUDGE**

