



**Ochieng v Republic (Criminal Revision E167 of 2024)
[2024] KEHC 16562 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16562 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E167 OF 2024
RE ABURILI, J
DECEMBER 2, 2024**

BETWEEN

JOHN WILLIS OCHIENG APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Maseno Senior
Principal Magistrate’s Court Criminal Case No. E034 of 2024)*

RULING

1. On 8th February 2024, the convict John Willis Ochieng was sentenced to serve 2 years’ imprisonment for the offence of malicious damage to property. The complainant is his mother whom he had been harassing and threatening to harm. He partakes of and is involved in drug and substance abuse. He pleaded guilty to the charges which included creating disturbance in a manner likely to cause breach of peace.
2. He has been engaged in prison rehabilitation programmes and is remorseful. His mother, the complainant, is said to have forgiven him.
3. The sentence review report filed on 18th November 2024 shows that he is ready to reform and that he is 47 years old. He is married with 2 children.
4. Non custodial community service is recommended and he is willing to perform unpaid community service.
5. In the spirit of prison decongestion, I hereby revise the lawful sentence imposed and order the convict John Willis Ochieng to be released to serve Probation for a period of one year and 2 months which is the remainder term and to be supervised by the Probation Officer, Maseno Sub- County.
6. Signal to issue.



7. File closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 2ND DAY OF DECEMBER, 2024

R. E. ABURILI

JUDGE

