



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
Where Legal Information is Public Knowledge

**Omondi alias Kano v Republic (Criminal Revision E150 of 2024)  
[2024] KEHC 16502 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16502 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E150 OF 2024  
RE ABURILI, J  
DECEMBER 2, 2024**

**BETWEEN**

**KELVIN OMONDI ALIAS KANO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Nyando Senior  
Principal Magistrate's Court Criminal Case No. E396 of 2024)*

**RULING**

1. On 29<sup>th</sup> May 2024 which is 6 months ago, the convict Kelvin Omondi was sentenced to serve 18 months imprisonment for the offence of stealing contrary to Section 268 as read with Section 275 of the [Penal Code](#).
2. He pleaded guilty to the charge. The stolen items were recovered and returned to the complainant. There was no presentence Report filed. He pleaded for leniency as a first offender.
3. In the spirit of prison decongestion, the convict is hereby conditionally discharged not to reoffend for the remainder period of the prison term. Unless otherwise lawfully held, Kelvin Omondi is hereby ordered released from prison forthwith.
4. Signal to issue. File closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 2<sup>ND</sup> DAY OF DECEMBER, 2024**

**R. E. ABURILI**

**JUDGE**

