

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION NO. 19 OF 2019

(CORAM: HON. R.E. ABURILI - J)

CAROLINE AKINYI ALOO.....APPLICANT

AND

REPUBLIC.....RESPONDENT

(An application for revision of sentence imposed by Ukwala SRM's Court

in Cr Case No. 207 of 2019 delivered on 10th June 2019)

RULING

1. I have considered the Applicant/Convict's Application for Revision of Sentence. She was convicted on 10/6/2019, on her own Plea of guilty for the offence of manufacturing of alcoholic drinks contrary to **Section 32 (1)(b) as read with Section 8 of the Alcoholic Drinks Control Act of 2010.**

2. The trial court sentenced her to pay a fine of Kshs. 80,000/= in default, to serve 1 year imprisonment.

3. I have considered the application for Revision of Sentence filed on 11/6/2019.

4. I have also considered the Probation Officer's Report signed by Catherine Amimo on 29th June 2019. I am satisfied that the Convict/Applicant deserves a chance to reform. She has 6 young children who depend on her. She is a widow.

5. The fine imposed on her is beyond her reach.

6. In the premises, I set aside the sentence meted out on the Applicant/Convict. I substitute it with an order that the Applicant/Convict shall serve unpaid community service at the Office of Assistant Chief, Yenga Sub-location for a period of six (6) months from the date of her release from jail.

Dated, Signed and Delivered at Siaya, this 2nd Day of July 2019.

R.E. ABURILI

JUDGE