



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**CRIMINAL REVISION NO. 170 OF 2018**

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

**VITALIS OKOTH OMONDI.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(An Application seeking Revision of Sentence from Judgment delivered on 2/3/2010*

*vide Ukwala Law Court in Cr. Case 565 of 2016 before Hon. G. Adhiambo, SRM)*

**RULING**

1. On 5/9/2018, the Applicant herein **Vitalis Okoth Omondi** was convicted and sentenced for being found guilty of the offence of arson contrary to **Section 332(1) of the Penal Code**.
2. He appealed and the appeal was dismissed on **27/8/2018 in HCRA 27 of 2017, 28 of 2017 and 30 of 2017 (Consolidated)**. He filed this application for Sentence Review. In the appeal, all the Appellants withdrew the challenge against conviction and only focused on sentence reduction. The Court upheld the sentence imposed.
3. This court has no jurisdiction to review sentence in an appeal which it heard and determined on merit.
4. The Application for Revision of sentence is hereby dismissed and the file is closed. Orders Accordingly.

**Dated, signed and Delivered at Siaya, this 11<sup>th</sup> Day of July 2019.**

**R.E. ABURILI**

**JUDGE**