



Case Number:	Criminal Case 18 of 2009
Date Delivered:	25 Jul 2012
Case Class:	Criminal
Court:	Court of Appeal at Kisumu
Case Action:	Ruling
Judge:	Hilary Kiplagat Chemitei
Citation:	SAMUEL ODHIAMBO ODONGO v REPUBLIC[2012]eKLR
Advocates:	-
Case Summary:	-
Court Division:	Criminal
History Magistrates:	-
County:	-
Docket Number:	-
History Docket Number:	-
Case Outcome:	-
History County:	-
Representation By Advocates:	-
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-
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REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

Criminal Case 18 of 2009

SAMUEL ODHIAMBO ODONGO alias WESONGAACCUSED

VERSUS

REPUBLICAPPELLANT

RULING ON SENTENCE

I have heard the appellant's submissions on sentence. He is a family young person with a young family. However the action of arming himself and killing the deceased was unwarranted and unprovoked. There was no apparent reason at all.

It is now well settled that death penalty in which the accused person deserved is no longer the only appropriate punishment. The alternative is custodial or non custodial sentence.

Taking the circumstances of this case including the accused's mitigation as well as that of prosecutions. I shall sentence the accused to serve twenty five (25) years custodial sentence from the date of this Ruling.

Dated, signed and delivered at Kisumu this 25th day of July 2012

H. K. CHEMITEI

JUDGE

In the presence of:

.....State Counsel

.....Appellant

HKC/aao



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