



**Rono v Republic (Miscellaneous Criminal Application E136 of 2024)
[2024] KEHC 10150 (KLR) (14 August 2024) (Ruling)**

Neutral citation: [2024] KEHC 10150 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E136 OF 2024
RE ABURILI, J
AUGUST 14, 2024**

BETWEEN

VICTOR RONO APPLICANT

AND

REPUBLIC RESPONDENT

(From the original conviction and sentence in Tamu SPM S.O. Case No. E016 of 2023)

RULING

1. The applicant is a convict in a defilement case at Tamu Law Courts. He was sentenced to serve Life imprisonment for the offence of defilement contrary to section 8(1) as read with section 8(2) of the of the *Sexual Offences Act* on 7/3/2024. He seeks leave of court to appeal out of time and the cause for the delay is that he had no money to pay for the appeal and that his family members who promised to appeal for him defaulted.
2. I have considered the appeal and the fact that the applicant convict is in custody. A delay of four months is not inordinate. The applicant is hereby granted leave to file an appeal within 14 days of today. The petition of appeal to cite this order for leave as granted.
3. Signal to issue forthwith.
4. This file is closed.
5. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 14TH DAY OF AUGUST, 2024

R.E. ABURILI

JUDGE

