



**Dimo v Republic (Miscellaneous Criminal Application E047 of 2024)
[2024] KEHC 11908 (KLR) (27 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11908 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E047 OF 2024
RE ABURILI, J
SEPTEMBER 27, 2024**

BETWEEN

FREDRICK ODHIAMBO DIMO APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for review of Conviction and sentence in Ukwala SPM's Court vide Criminal Case No. 503 of 2015 delivered by Hon. R.M. Ounda (SRM) dated 3/5/2016)

RULING

1. The Applicant Fredrick Odhiambo Dimo was convicted of the offence of gang defilement vide Ukwala PM SO Case No. 503/2015 and sentenced to serve 15 years imprisonment on 3/5/2016. He appealed vide HCRA 144/2019 at Kisumu, which appeal was transferred to Siaya High Court and assigned HCRA 49/2016 upon the establishment of the High Court in 2015. His appeal was heard and dismissed on 19/2/2018. The applicant now applies vide his application dated 10/6/2024 that this court considers the period spent in custody being 9 months prior to sentencing.
2. The applicant was heard on appeal and he had the opportunity to ask the court to consider that period.
3. On 12/10/2015, he was granted bond of Ksh500,000/= plus one surety of similar amount.
4. However, as only the typed proceedings from Ukwala Law Courts were traced, it is difficult to tell whether the convict secured bond. This is an old matter. Convict take advantage of time lapse to hood wink courts into giving them favourable orders.
5. I find the application not merited and the same is hereby dismissed.
6. This file is closed. I so order.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 27TH DAY OF SEPTEMBER, 2024



R. E. ABURILI
JUDGE

