



REPUBLIC OF KENYA



**Abonyo v Republic (Miscellaneous Criminal Application E179 of 2024)
[2024] KEHC 11596 (KLR) (26 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11596 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E179 OF 2024
RE ABURILI, J
SEPTEMBER 26, 2024**

BETWEEN

LUKIO OPIYO ABONYO APPLICANT

AND

REPUBLIC RESPONDENT

*((From the original conviction and sentence in Winam Senior Principal
Magistrate's Court Criminal Sexual Offences Case No. E025 of 2020))*

RULING

1. The Applicant Lukio Opiyo Abonyo is a convict in Winam SPM Sexual Offences Case No E025 of 2020 with the offence of defilement contrary to Section 8(1) as read with Section 8(2) of the [Sexual Offences Act](#) and sentenced to serve 25 years imprisonment on 17th June 2022.
2. He appealed vide HCCRA No E026 of 2022 which appeal was dismissed. He never appealed to the Court of Appeal.
3. He has applied for sentence review to be given a less severe sentence because he has reformed. The application is dated 19th August 2024 supported by an affidavit.
4. I have considered the application and supporting affidavit. I find no reason to interfere with the lenient sentence imposed, noting that the Mandatory sentence under Section 8(2) of the [Sexual Offences Act](#) is life imprisonment.
5. The application dated 19th August 2024 is dismissed and this file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 26TH DAY OF SEPTEMBER, 2024

R. E. ABURILI

JUDGE

