



REPUBLIC OF KENYA



**Mirende v Republic (Miscellaneous Criminal Application E167 of 2024)  
[2024] KEHC 11574 (KLR) (26 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11574 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E167 OF 2024  
RE ABURILI, J  
SEPTEMBER 26, 2024**

**BETWEEN**

**JOHN OUMA MIRENDE ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Tamu Senior Principal  
Magistrate's Court Criminal Sexual Offences Case No. E013 of 2023)*

**RULING**

1. The Convict John Ouma Mirende was sentenced to serve twenty (20) years imprisonment on 7<sup>th</sup> December 2024 vide Tamu SPM Sexual Offences Case No. E013 of 2023.
2. He now seeks leave to appeal out of time, vide his application dated 31<sup>st</sup> July 2024. He faced the charge of defilement contrary to Section 8(1) as read with Section 8(3) of the [Sexual Offences Act](#).
3. He does not explain the reasons for the delay in filing the appeal, upon being sentenced.
4. I find the application to be devoid of any merit and dismiss it.
5. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 26<sup>TH</sup> DAY OF SEPTEMBER, 2024**

**R. E. ABURILI**

**JUDGE**

