



**Odero v Republic (Miscellaneous Criminal Application E151 of 2024)  
[2024] KEHC 11603 (KLR) (26 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11603 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E151 OF 2024  
RE ABURILI, J  
SEPTEMBER 26, 2024**

**BETWEEN**

**EDWIN OTIENO ODERO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Nyando Senior  
Principal Magistrate Criminal Sexual Offences Case No. 10 of 2019)*

**RULING**

1. The Applicant by way of Notice of Motion as filed by Edwin Otieno Odero cannot be comprehended as there are no substantive prayers sought.
2. He only claims that he was convicted for defilement contrary to Section 8(1) as read with Section 8(2) of the *Sexual Offences Act* and sentenced to serve sixty (60) years imprisonment vide Nyando SPM Sexual Offences Case No. 10 of 2019.
3. That he appealed vide Kisumu HCCRA No. 01 of 2021 which appeal was dismissed. Nothing else is stated why he is back into this court. The sentence meted out was lawful considering its length versus the life imprisonment provided for under section 8(2) of the *Act*.
4. The application dated August 13, 2024 is dismissed for want of substance and this file is closed.

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

**R. E. ABURILI**

**JUDGE**

