



**Siele v Republic (Miscellaneous Criminal Application E175 of 2024)
[2024] KEHC 11612 (KLR) (26 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11612 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E175 OF 2024
RE ABURILI, J
SEPTEMBER 26, 2024**

BETWEEN

GEOFFREY KIBET SIELE APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Winam Senior Principal
Magistrate's Court Criminal Sexual Offences Case No. E018 of 2023)*

RULING

1. The Applicant is Geoffrey Kibet Siele. He is a convict in Winam SPM Sexual Offences Case No E018 of 2023. He was convicted for the offence of defilement contrary to Section 8(1) as read with Section 8(2) of the *Sexual Offences Act* on 16th November 2023 and sentenced to serve life imprisonment.
2. He now seeks leave to appeal out of time. It is now nearly one year since he was convicted and he claims that his family promised to engage him an advocate to appeal the decision.
3. Those are the obvious reasons advanced by convicts who come before this court seeking leave to appeal out of time. The delay is inordinate.
4. Nonetheless, as no prejudice will be occasioned to the state and complainant if the convict is accorded an opportunity to ventilate his grievances on appeal, I hereby grant the convict Geoffrey Kibet Siele leave to appeal out of time from Winam SPM Sexual Offences Case No E018 of 2023.
5. The appeal shall be filed within 14 days of today.
6. Signal to issue.
7. This file is closed.

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



R. E. ABURILI
JUDGE

