



**Omondi v Republic (Miscellaneous Criminal Application
E220 of 2024) [2024] KEHC 13402 (KLR) (31 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13402 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E220 OF 2024
RE ABURILI, J
OCTOBER 31, 2024**

BETWEEN

IAN OMONDI APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Winam Senior
Principal Magistrate's Court Criminal Case No. E460 of 2024)*

RULING

1. The application dated 14th October 2024 is under certificate of urgency. I however find no urgency involved. I decline to certify it as urgent. The application seeks leave of this court to appeal out of time from original conviction and sentence in Winam Senior Principal Magistrate's Court Criminal Case No. E460 of 2024).
2. I observe that the conviction and sentence was imposed in April 2024. However, the Applicant is self-represented. There is delay yes, but it is not inordinate and justice can still be done despite the few months' delay.
3. I allow the application and grant the applicant leave to file an appeal out of time from the conviction in Winam SPM Criminal Case No. E460 of 2024.
4. The appeal shall be filed and served within 14 days of today.
5. Signal to issue.
6. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 31ST DAY OF OCTOBER, 2024

R. E. ABURILI



JUDGE

