



**Ayoo v Republic (Miscellaneous Criminal Application
E122 of 2022) [2023] KEHC 3108 (KLR) (28 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 3108 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E122 OF 2022**

**RE ABURILI, J
MARCH 28, 2023**

BETWEEN

JOSEPH ODHIAMBO AYOO ALIAS KOLOKO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant Joseph Odhiambo Ayoo alias Koloko was convicted and sentenced vide Winam Principal Magistrate's Court Criminal Case No. 375 of 2018 and sentenced to serve seven (7) years imprisonment for the offence of grievous harm. This was on May 8, 2019.
2. He seeks for sentence review taking into account section 333(2) of the [Criminal Procedure Code](#) on the period spent in custody. However, no proceedings in the said matter are annexed for perusal and consideration.
3. I find this application filed on November 23, 2022 not supported. It is hereby dismissed. The Applicant/Convict can file another fresh application supported by documents including a charge sheet and court proceedings for this court to establish the truth on the date of arrest and if he was not released on bond during trial. File closed. I so order.

Dated, Signed and Delivered at Kisumu this 28th Day of March, 2023

R. E. ABURILI

JUDGE

