



REPUBLIC OF KENYA



**Hassan v Republic (Criminal Appeal E021 of 2022)
[2023] KEHC 2581 (KLR) (27 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2581 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT GARISSA
CRIMINAL APPEAL E021 OF 2022
JN ONYIEGO, J
MARCH 27, 2023**

BETWEEN

ABDIKADIR ABDULLAHI HASSAN APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. I have considered the chamber summons application herein which is not dated, seeking leave to appeal out of time. According to the applicant/appellant he had no money to process the appeal. The state does not oppose the application. judgment was delivered on April 26, 2022 and sentence meted out on May 4, 2022. The appeal was filed on May 31, 2022 which was outside the 14 days within which a criminal appeal is allowed to be filed.
2. However, the course for the delay has been explained to the court's satisfaction. The same is not opposed.
3. Accordingly, application is allowed and leave to appeal out of time granted.
4. The appeal herein is admitted, parties to file submissions within 21 days. Highlighting on May 22, 2023.

RULING READ, DELIVERED IN OPEN COURT THIS 27TH DAY OF MARCH, 2023.

J N ONYIEGO

JUDGE

In the Presence of:

Appellant/ Applicant

Mr Kihara for the state.



Martin/ Mohamed- Court Assistant.

J N ONYIEGO

JUDGE

