



REPUBLIC OF KENYA



**Andasia v Republic (Criminal Petition E026 of 2022)  
[2023] KEHC 2996 (KLR) (24 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2996 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL PETITION E026 OF 2022  
RE ABURILI, J  
MARCH 24, 2023**

**BETWEEN**

**JECONIA MALAWA ANDASIA ..... PETITIONER**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Petitioner Jeconia Malawa Andasia by his petition filed on October 5, 2022 seeks for resentencing. He claims that he was convicted and sentenced to serve life imprisonment by Winam Court vide Criminal Case No 1510 of 2014 and that his appeal to Kisumu High Court vide HCRA No 55 of 2016 was not successful then he appealed to the Court of Appeal but that he has never been served with an appeal number so he decided to file this Resentencing petition.
2. He claims that the life imprisonment imposed on him by the Winam Court was mandatory sentence hence unconstitutional.
3. I have perused the Petition which is not supported by any affidavit or annexure. There is no disclosure of what offence the convict was charged with although he cites the *Sexual Offences Act* in the heading of the Petition.
4. I find the Petition not supported by any material for perusal and consideration on merit as no proceedings or even judgement of the lower court or an appeal to this court were annexed.
5. The Petition is found to be devoid of any merit and is dismissed.
6. The Petitioner/Convict can file a fresh petition which is properly supported for consideration by this court.
7. This file is closed.



8. Petitioner to be notified via signal/order.

9. I so order.

Dated, Signed and Delivered at Kisumu this 24<sup>th</sup> Day of March, 2023

R. E. ABURILI

JUDGE

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