



**Chiringa v Republic (Miscellaneous Criminal Application
E137 of 2022) [2023] KEHC 22233 (KLR) (4 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22233 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
MISCELLANEOUS CRIMINAL APPLICATION E137 OF 2022**

**A. ONG'INJO, J
AUGUST 4, 2023**

BETWEEN

LABAN KARUME CHIRINGA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The uncertified copy of the proceedings of the lower court are incomplete and it does not show the kind of sentence passed against the applicant for the offence of incest. It is therefore not possible to review the same.
2. However, it is noted that 2 days after he was arraigned in court, he was released on bond and he is not entitled to be considered under section 333(2) of the *Criminal Procedure Code*.
3. Application is dismissed.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,
THIS 4TH DAY OF AUGUST 2023.**

**HON. LADY JUSTICE A. ONG'INJO
JUDGE**

In the presence of: -

Ogwel- Court Assistant

Mr. Ngiri for Respondent

Applicant present in person

HON. LADY JUSTICE A. ONG'INJO



JUDGE

