



Ahomo v Republic (Miscellaneous Criminal Application E042 of 2022) [2022] KEHC 444 (KLR) (21 April 2022) (Ruling)

Neutral citation: [2022] KEHC 444 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E042 OF 2022**

**RE ABURILI, J
APRIL 21, 2022**

BETWEEN

MAURICE OPONDO AHOMO APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application arising from conviction and sentence of the Principal Magistrate’s Court at Bondo in Criminal Case No. 36 of 2018)

RULING

1. The applicant Maurice Opondo Ahomo in his Notice of motion dated 4/4/2022 seeks for leave to appeal out of time from the conviction and sentence of a 15 years imprisonment imposed by Bondo PM’s court in Sexual Offence Case No. 36 of 2018. He claims that the conviction was on 16/10/2019 which is now 2½ years.
2. There are no reasons advanced for the inordinate delay as the purported ‘supporting affidavit’ is not sworn.
3. Accordingly, for unexplained laches, I find the application being an afterthought. The same is hereby dismissed.
4. File is closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 21ST DAY OF APRIL, 2022

R.E. ABURILI

JUDGE

