

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CRIMINAL APPEAL NO. 93 OF 2017 (SOA)

GEORGE WILLIAM MUHULA.....APPELLANT

VERSUS

REPUBLIC RESPONDENT

(appeal from conviction and sentence in Judgment delivered on 5/9/2017 in Siaya PM's Court Criminal Case No. 707 of 2016 before Hon. T.M.Olando, SRM)

RULING ON SENTENCE

1. Judgment in this case was delivered on 29th October, 2019 dismissing the appellant's appeal against conviction. The court then ordered for a social inquiry report on the appellant to guide the court on resentencing.
2. I have considered the Probation Officer's Report filed on 10.2.2020 and the fact that the Appellant maintains his innocence in this matter despite the overwhelming evidence against him.
3. The Victim of the offence was a 6 year old child and is still traumatized, according to the Social Inquiry Report filed on 10.2.2020.
4. In my humble view, the Appellant does not deserve any leniency by this Court as he is not remorseful and feels nothing for the victim of his heinous crime. He deserves deterrent sentence, though a first offender.
5. For the above reasons, I proceed and resentence the Appellant George William Muhula to serve sixty (60) years in prison in order to protect young children from the Appellant Sex Pest.
6. Orders accordingly.

Dated, Signed and Delivered at Siaya this 25th day of February, 2020.

R.E. ABURILI

JUDGE