



**Okumu v Republic (Miscellaneous Criminal Application
E017 of 2024) [2025] KEHC 4539 (KLR) (8 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4539 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
MISCELLANEOUS CRIMINAL APPLICATION E017 OF 2024**

WM MUSYOKA, J

APRIL 8, 2025

BETWEEN

MARYANNE PATRICIA OKUMU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant herein was convicted of murder, contrary to section 203, as read with section 204, of the *Penal Code*, Cap 63, Laws of Kenya, and was sentenced to 18 years imprisonment, by Karanjah J, in Busia HCCRC No. E005 of 2022.
2. She has now come before me, by an undated Motion, filed on an unknown date, seeking reduction of sentence, premised on various provisions of *the Constitution*.
3. Once the High Court pronounces itself on a conviction and sentence, in a murder case that it has tried to conclusion, it has no jurisdiction to revisit the matter to reduce the sentence it imposed. The court with jurisdiction, to tinker with the sentence imposed, is the Court of Appeal.
4. That is where the applicant should have headed, for she had a right to appeal against the sentence, within 14 days after it was pronounced. I cannot exercise a jurisdiction or power or mandate which I do not have.
5. The applicant has cited several provisions of *the Constitution*, as justification for her application. I have read and re-read those provisions, and I see nothing there which grants me any jurisdiction to do that which she invites me to do.
6. The result is that the Motion before me, which is undated, is without merit. I hereby dismiss it. This file shall be closed. Orders accordingly.



DELIVERED, DATED AND SIGNED IN OPEN COURT, AT BUSIA, ON THIS 8TH DAY OF APRIL 2025.

W MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Ms. Maryanne Patricia Okumu, the applicant, in person.

Advocates

Mr. Tony Onanda, instructed by the Director of Public Prosecutions, for the respondent.

