



Siaya v Republic (Criminal Miscellaneous Application E085 of 2025) [2025] KEHC 7676 (KLR) (5 June 2025) (Ruling)

Neutral citation: [2025] KEHC 7676 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL MISCELLANEOUS APPLICATION E085 OF 2025**

A MABEYA, J

JUNE 5, 2025

BETWEEN

MORRIS ANDARI SIAYA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. On 1/4/2025, the applicant was convicted of the offence of defilement contrary to section 8(1) as read with section 8(3) of the [Sexual Offences Act](#). He was sentenced to 20 years' imprisonment.
2. By a Motion on Notice dated 25/4/2025 but filed on 25/5/2025, the applicant has come to Court applying for leave to file an appeal out of time. There has been no unreasonable or inordinate delay. The period of delay is less than 30 days.
3. Further, the sentence is severe and the State is not opposed to the extension of time sought.
4. In view thereof, I allow the application dated 25/4/2025. The applicant is granted leave to file a Petition of Appeal within 30 days of today.
5. This file is marked as closed.

It is so ordered.

DATED AND DELIVERED AT KISUMU THIS 5TH DAY OF JUNE, 2025.

A. MABEYA, FCI Arb

JUDGE

