



**Omondi v Republic (Miscellaneous Criminal Application
E027 of 2024) [2024] KEHC 4341 (KLR) (19 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4341 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E027 OF 2024**

**RE ABURILI, J
APRIL 19, 2024**

BETWEEN

SHEILLAH AKINYI OMONDI APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in the Senior Principal
Magistrate's Court Criminal Case No. E189 of 2023 at Winam)*

RULING

1. I have considered the Notice of Motion dated 16th March 2024 seeking leave to appeal out of time from Winam Senior Principal Magistrate Criminal Case No. E189 of 2023 for the offence of handling stolen property.
2. The delay is inordinate. However, as the convict wishes to challenge the sentence imposed and she was self-represented, I find that it is in the interest of justice that she be accorded the opportunity to appeal.
3. I grant the Applicant Sheillah Akinyi Omondi leave to appeal out of time.
4. The intended appeal to be filed and served upon the ODPP within 14 days of today.
5. Signal to issue forthwith.
6. This file is closed.
7. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 19TH DAY OF APRIL, 2024

R. E. ABURILI

JUDGE

