



**Omuamu v Republic (Miscellaneous Application E469 of 2023)
[2024] KEHC 4333 (KLR) (Crim) (15 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4333 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL
MISCELLANEOUS APPLICATION E469 OF 2023
LN MUTENDE, J
APRIL 15, 2024**

BETWEEN

MARTIN WANGWA OMUAMU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. Section 349 of the *Criminal Procedure Code* requires an appeal to be filed within 14 days of the date of the order or sentence. But, for a good reason, the appeal may be admitted out of the prescribed time.
2. The applicant herein seeks to appeal out of time. He was sentenced to serve fifteen (15) years imprisonment. He avers that to date he has not obtained the copy of judgment but he is aggrieved and desirous to appeal.
3. Since the respondent has no objection to the application the same is allowed. The applicant is granted fourteen (14) days hereof within which to file the Petition of Appeal. In default, leave granted shall cease to operate.
4. It is so ordered.

**DATED, SIGNED AND DELIVERED VIRTUALLY THROUGH MICROSOFT TEAMS AT
NAIROBI, THIS 15TH DAY OF APRIL, 2024.**

L. N. MUTENDE

JUDGE

In the presence of:

Ms. Wafula for ODPP



Court Assistant - Gladys

