



**Sang v Republic (Miscellaneous Criminal Application
E030 of 2024) [2024] KEHC 4342 (KLR) (19 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4342 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E030 OF 2024**

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

BETWEEN

SAMSON KIMUTAI SANG APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in the Senior Principal
Magistrate's Court Criminal Sexual Offences Case No. E021 of 2022 at Tamu)*

RULING

1. The Applicant Samson Kimutai Sang was convicted and sentenced to serve 20 years imprisonment by Hon. A. K. Makoross, SPM vide Tamu SPM Sexual Offences Case No. E021 of 2022 on 2nd May 2023, for the offence of Defilement contrary to section 8 (1) and 8 (3) of the *Sexual Offences Act*.
2. He claims that the delay in filing the appeal was occasioned by none supply of court proceedings and Judgment and that his family abandoned him.
3. I have considered the application, the grounds and reasons for the delay.
4. I grant the Applicant leave to file an appeal out of time from Tamu Senior Principal Magistrate Sexual Offences Case No. E021 of 2022.
5. The appeal to be filed and served within Fourteen (14) days of today.
6. Signal to issue.
7. This file is closed.

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

R. E. ABURILI



JUDGE

