



**Odhiambo v Republic (Miscellaneous Criminal Application
E061 of 2024) [2024] KEHC 4997 (KLR) (9 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 4997 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E061 OF 2024**

RE ABURILI, J

MAY 9, 2024

BETWEEN

STEPHEN OTIENO ODHIAMBO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in the Chief
Magistrate's Court Sexual Offences Case No. 10 of 2020 at Kisumu)*

RULING

1. The Applicant Stephen Otieno Odhiambo seeks orders for review of 20 years imprisonment rendered by Hon. Lagat, SRM in Kisumu CM Criminal Case No. 10 of 2020 for the offence of defilement contrary to Section 8(1) as read with Section 8(3) of the *Sexual Offences Act*.
2. He claims that he did not appeal to the Court of Appeal for lack of merit in the case. He also seeks that upon the review of sentence, Section 333(2) of the *Criminal Procedure Code* be invoked so that his sentence runs from date of arrest.
3. Regrettably, no proceedings or judgment has been annexed to support the request and no basis is laid for review of lawful sentence.
4. I find the application devoid of any merit.
5. It is hereby dismissed.
6. Signal to issue.
7. File closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 9TH DAY OF MAY, 2024



R. E. ABURILI
JUDGE

