



REPUBLIC OF KENYA



**Odwa v Republic (Criminal Revision E092 of 2024)
[2024] KEHC 7366 (KLR) (12 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7366 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E092 OF 2024
RE ABURILI, J
JUNE 12, 2024**

BETWEEN

JUSTUS OKORE ODWA APPLICANT

AND

REPUBLIC RESPONDENT

(From the original conviction and sentence in Kisumu Chief Magistrate's Court Criminal Sexual Offences Case No. 74 of 2008 arising from Kisumu High Court Criminal Appeal No. 54 of 2009)

RULING

1. The Applicant Justus Okore Odwa is a convict in Kisumu Chief Magistrate Sexual Offences Case No. 74 of 2008. He was sentenced to serve life imprisonment for the offence of defilement contrary to Section 891) as read with Section 8(2) of the *Sexual Offences Act*.
2. From his Notice of Motion which is not supported by any affidavit or court proceedings, he claims that he appealed to this court vide HCCRA No. 54 of 2009 which appeal was dismissed in its entirety and that he never filed any appeal to the Court of Appeal.
3. He now seeks sentence review by way of revision because he has a right to a less severe sentence and have his sentence reviewed.
4. I have considered the application and I am unable to find any illegality in the sentence imposed as it was in accordance with the law under Section 8(2) of the *Sexual Offences Act*.
5. I find no substance in the application for revision of sentence. The application dated 3rd April 2024 is dismissed. This file is closed.
6. Applicant to be notified at Naivasha Maximum Prison.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 12TH DAY OF JUNE, 2024



R. E. ABURILI
JUDGE

