



**Onganga v Republic (Miscellaneous Criminal Application
E062 of 2023) [2024] KEHC 6471 (KLR) (3 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 6471 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E062 OF 2023**

RE ABURILI, J

JUNE 3, 2024

BETWEEN

HENRY NGESA ONGANGA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in the Senior Principal Magistrate's
Court Criminal Sexual Offences Case No. E037 of 2021 at Winam)*

RULING

1. I have considered the application for leave to appeal out of time from Winam SPM Sexual Offences Case No. E037 of 2021.
2. The date of the decision is not indicated. However, I do not find any prejudice in granting the Applicant convict leave to appeal out of time as he is unrepresented and is in custody. In addition, the lower court case is a 2021 case.
3. The Applicant is granted leave to file an appeal out of time from the judgment, conviction and sentence in Winam SPM Sexual Offences Case No. E037 of 2021.
4. The appeal to be filed and served within 14 days of service of this order.
5. Signal to issue.
6. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 3RD DAY OF JUNE, 2024

R. E. ABURILI

JUDGE

