



**Khamisi v Republic (Criminal Miscellaneous Application
E022 of 2024) [2024] KEHC 13433 (KLR) (22 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13433 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL MISCELLANEOUS APPLICATION E022 OF 2024
RE ABURILI, J
OCTOBER 22, 2024**

BETWEEN

OSCAR NDETA KHAMISI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant Oscar Ndetta Khamisi is a convict in Bondo SPM's SO E012/2020 which he was sentenced to serve 15 years imprisonment for the offence of defilement contrary to Section 8 (1) as read with Section 8 (4) of the *Sexual Offences Act*.
2. He has filed two applications in two different files, HC Misc Cr. App E022/2024 and E033/2024 seeking the same orders namely, that he be given reprieve of mandatory sentence. I have considered the application in this matter and in Misc. Cr. App. E033/2024. Both applications are an abuse of court process. The sentence imposed was lawful. I find no reason to interfere.
3. The application dated 5/1/2024 is dismissed. In the same vein, this order shall apply to Misc. Cr. App. E033/2024 which is equally dismissed.
4. This file is closed.

RULING DATED, SIGNED AND DELIVERED THIS 22ND DAY OF OCTOBER, 2024

R. E. ABURILI

JUDGE

