



**Ndunde v Republic (Miscellaneous Criminal Application
E210 of 2024) [2024] KEHC 12346 (KLR) (15 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12346 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E210 OF 2024
RE ABURILI, J
OCTOBER 15, 2024**

BETWEEN

ISIAH OTINA NDUNDE APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Nyando Senior Principal
Magistrate Criminal Sexual Offences Case No. E006 of 2023)*

RULING

1. The applicant Isiah Otina Ndunde was convicted on the offence of defilement contrary to Section 8(1) as read with Section 8(3) of the [Sexual Offences Act](#) vide Nyando SPM Sexual Offences Case No E006 of 2023 and sentenced to serve 20 years' imprisonment on 21st November 2023 which is close to one year now.
2. There is no reason advanced for the inordinate delay. I find the application to be an afterthought. It is hereby dismissed.
3. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 15TH DAY OF OCTOBER, 2024

R. E. ABURILI

JUDGE

