



**Olongo v Republic (Criminal Miscellaneous Application
E010 of 2024) [2024] KEHC 13432 (KLR) (22 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13432 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL MISCELLANEOUS APPLICATION E010 OF 2024
RE ABURILI, J
OCTOBER 22, 2024**

BETWEEN

CHARLES OWINO OLONGO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant Charles Owino Olongu was convicted of the offence of defilement contrary to Section 8 (1) and (3) of the [Sexual Offences Act](#). He was sentenced to serve 10 year's imprisonment.
2. He appealed vide Siaya HCCRA E010/2023 and in the judgment rendered on 18/4/2024, the court dismissed the appeal. It also ordered that since the appellant was on bond with a surety during trial, he shall serve sentence from 18/8/2022 the date of sentence as ordered by the trial court.
3. Unknown to my brother Judge Ogembo, (RIP), this was the second time the applicant herein was appealing because here was another defilement case vide Bondo SPM SO Case No. 503/2012.
4. Wherein he was convicted of the offence of defilement and sentenced to serve 20 years imprisonment. He appealed vide Kisumu HCCRA 98/2012.
5. He then applied vide Siaya HC Misc. Cr. E010/2023 for consideration of the three months he spent in custody during trial and the court vide ruling of 9/12/2023 allowed the application.
6. Now, the applicant/convict vide his application dated 26/1/2024 seeks for sentence reduction because he is remorseful and rehabilitated and is a bread winner for his family. I have considered his application from the brief history gathered in the court files, the convict/applicant herein is a Sexual parent and predator. There is no reason for this court to attempt reviewing the sentence imposed which is lenient. From 2012, he has remained an inmate in different cases.
7. Meaning, he cannot be trusted to live in society where, given every opportunity, he preys on young girls.



8. I find the application dated 26/1/2024 for sentence review devoid of any merit. It is hereby dismissed.
9. This file is closed.
10. I so order.

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

R. E. ABURILI

JUDGE

