



**O v Republic (Miscellaneous Criminal Application E078 of 2023)  
[2024] KEHC 13279 (KLR) (22 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13279 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
MISCELLANEOUS CRIMINAL APPLICATION E078 OF 2023  
RE ABURILI, J  
OCTOBER 22, 2024**

**BETWEEN**

**AO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant AO is a convict in Siaya SPM SO Case No. 13/2020 where he was convicted of the offence of defilement contrary to Section 8(1) as read with Section 8(3) of the [Sexual Offences Act](#) and sentenced to serve 20 years imprisonment on 2/2/2022.
2. He claims that he appealed vide Siaya HCCRA E003/2022 which appeal was dismissed.
3. He now seeks for sentence review because he is suffering, he has four children and he is on ARVs drugs hence unable to manage his condition in prison. That he has reformed and learnt many life skills in prison. The appeal was dismissed on 21/11/2022.
4. I find no lawful reason for reviewing sentence. This court having pronounced itself on appeal, it is devoid of jurisdiction to sit on its own appeal.
5. The application for sentence review is hereby dismissed.
6. This file is closed.

**RULING DATED, SIGNED AND DELIVERED THIS 22<sup>ND</sup> DAY OF OCTOBER, 2024**

**R. E ABURILI**

**JUDGE**

