



**Mchonji v Republic (Petition E116 of 2023)
[2024] KEHC 17104 (KLR) (18 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 17104 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VOI
PETITION E116 OF 2023
AN ONGERI, J
NOVEMBER 18, 2024**

BETWEEN

RODGERS MWAMBELA MCHONJI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant’s oral application to file his appeal out of time is allowed under Article 159 of *the Constitution* which mandates courts to dispense justice without undue regard to technicalities of procedure.
2. The Applicant is granted leave to file his Memorandum of Appeal within 15 days of this date.
3. The Applicant to be supplied with the Record of Appeal (ROA).
4. The registry to open the appeal file as we await the Record of Appeal.
5. Mention on 20th January 2025.

DATED, SIGNED AND DELIVERED THIS 18TH DAY OF NOVEMBER 2024 VIRTUALLY AT VOI.

ASENATH ONGERI

JUDGE

In the presence of:-

Prosecutor: Mr. Sirima

Court Assistants: Maina/Trizah

The Applicant present

