



**Onyango v Republic (Miscellaneous Criminal Application
128 of 2023) [2024] KEHC 14330 (KLR) (8 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 14330 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION 128 OF 2023
RE ABURILI, J
NOVEMBER 8, 2024**

BETWEEN

KENNEDY ODHIAMBO ONYANGO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant Kennedy Odhiambo Onyango was convicted vide Siaya SPM Cr Case No. 3/2018 for the offence of robbery with violence contrary to Section 296 (2) of the Penal Code and sentenced to life imprisonment on 24/8/2018. He was jointly charged with Daniel Otieno Oloo who was equally convicted and sentenced.
2. On appeal, vide HCRA 44/2018, he was given 30 years imprisonment vide his Notice of Motion filed on 4/8/2023 for sentence reduction because he has reformed.
3. I have considered his application dated 24/7/2023 and filed on 4/8/2023. I have also considered the applicant's submission dated 24/7/2023 and filed on 4/8/2023.
4. I find no merit or basis upon which I can reduce further the 30 years imprisonment re-imposed on the convict.
5. This court lacks residual jurisdiction to reduce that sentence further, having done so on appeal. The application for sentence reduction is dismissed for want of legal basis and or merit.
6. Signal to issue. File is closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 8TH DAY OF NOVEMBER, 2024

R. E. ABURILI

JUDGE

