



REPUBLIC OF KENYA



**Ogola v Republic (Miscellaneous Criminal Application E226 of 2024)
[2024] KEHC 16336 (KLR) (17 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16336 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E226 OF 2024
RE ABURILI, J
DECEMBER 17, 2024**

BETWEEN

MOUSTINE AYOOGOLA APPLICANT

AND

REPUBLIC RESPONDENT

(From the original conviction and sentence in Tamu Senior Principal Magistrate's Court Criminal Sexual Offences Case No. E025 of 2023)

RULING

1. The applicant Moustine Ayoo Ogola seeks leave to appeal out of time from Tamu SPM Sexual Offences Case No. E025 of 2023, defilement contrary to Section 8(1) (4) of the [Sexual Offences Act](#).
2. The delay is not inordinate considering the convict is self-represented. The Applicant was convicted and sentenced to serve 15 years' imprisonment on 2nd October 2024.
3. I allow the application dated 6th November, 2024. The Petition of appeal to be filed and served within 14 days of date of service of this order.
4. Signal to issue.
5. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 17TH DAY OF DECEMBER, 2024

R. E. ABURILI

JUDGE

