



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**MISC. CRIMINAL APPLICATION NO. E060 OF 2021**

**CORAM: R.E. ABURILI, J**

**DAVID OOKO MADOO.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Being an Application seeking Sentence review in Criminal Case No. 51 of 2019 at Siaya PM's Court)*

**RULING**

1. I have considered the application for reduction of sentence of 10 years imprisonment for the offence of defilement contrary to Section 8(3) of the Sexual Offences Act.
2. There is absolutely no urgency in this matter. I decline to certify it as urgent.
3. I further find that there is no legal justification for reduction of lawful sentence as imposed by the trial court, this not being an appeal.
4. The Application is not even supported by any sworn affidavit, it is an abuse of court process. It is hereby dismissed.
5. File closed.

**Dated, signed and delivered at Siaya, this 6<sup>th</sup> Day of April 2021**

**R.E. ABURILI**

**JUDGE**