



**REPUBLIC OF KENYA**

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

**MISC. CRIMINAL APPLICATION NO. 8 OF 2020**

**(CORAM: R. E. ABURILI - J.)**

**PETER OBARE AMARA.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

***(Being an Application for Revision of Sentence in High Court Criminal Appeal No. 115 of 2016 and originally from PM's court, Siaya vide Criminal Case No. 320 of 2015)***

**JUDGMENT**

1. The applicant was convicted for the offence of defilement of a child under section 8(3) of the Sexual Offences Act No. 3 of 2006 and sentenced to serve twenty years imprisonment vide Siaya vide Criminal Case No. 320 of 2015 he appealed to this court vide High Court Criminal Appeal No. 115 of 2016 and Hon. Makau J dismissed his appeal. He never challenged the judgment of this court which still stands. He now applies to this court for revision of his sentence. That being the case, this court has no jurisdiction to review its own judgment delivered on appeal by Hon. J.A. Makau as the Judge is of concurrent jurisdiction.

2. This Application is dismissed and this file is hereby closed.

3. Orders accordingly.

**Dated, signed and delivered at Siaya, this 18<sup>th</sup> day of February, 2020**

**R.E. ABURILI**

**JUDGE**

***In the presence of:***

Peter Obare Amara, Applicant

Mr. Okachi, Senior Principal Prosecution Counsel for Respondent

Court Assistants: Brenda Achieng and Modestar Mutiemani