

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISC. CRIMINAL APPLICATION NO. 66 OF 2020

DAVID OOKO MADOO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Application for review of sentence and leave to appeal against sentence in Siaya PM's Court SO Case No 51 of 2019 dated 6th February 2020 by Hon. Muthoni Mwangi, RM)

RULING

1. I have considered the Application for review of sentence and twinned with a prayer for leave to appeal against sentence.
2. The Applicant was convicted and sentenced on 6/2/2020. No reasons have been given for delay in filing an appeal against sentence.
3. On review of 10 years imprisonment, the sentence imposed was lawful and far much below the mandatory minimum of 20 years provided for under Section 8(3) of the Sexual Offences Act.
4. Accordingly, I find this application not merited.
5. It is hereby dismissed.
6. File closed.

Dated, signed and delivered at Siaya this 5th day of October 2020

R.E. ABURILI

JUDGE