

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KAPENGURIA

CRIMINAL DIVISION

MISCELLANEOUS CRIMINAL APPLICATION NUMBER 2 OF 2019

VINCENT JUMBA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

CORAM: LADY JUSTICE RUTH N. SITATI

RULING

1. The court has heard both the applicant and the respondent on this matter in which the applicant seeks review of sentence meted out to him under the Sexual Offences Act, No. 3 of 2006.

2. While it may be true that the applicant has undergone training that goes to improve his character, this is a matter that is still being considered with a view to bringing sentencing under the Sexual Offences Act in line with the Supreme Court decision in the **Muruatetu and another -vs- Republic [2017] eKLR 2017**. Until then, the applicant's application be and is hereby dismissed. The court is however aware that the prison system grants remission to well behaved inmates and the applicant is a likely candidate for the same.

Orders accordingly.

Ruling delivered in open court at Kapenguria on this 12th Day of March, 2019.

RUTH N. SITATI

JUDGE

In the Presence of:-

Applicant – present in person.

Ms Kiptoo for State

Mr. Juma - Court Assistant