



**Njeri v Republic (Criminal Application E002 of 2025)
[2025] KECA 394 (KLR) (27 February 2025) (Ruling)**

Neutral citation: [2025] KECA 394 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT NAKURU
CRIMINAL APPLICATION E002 OF 2025
JM MATIVO, JA
FEBRUARY 27, 2025**

BETWEEN

KELVIN KARIUKI NJERI APPLICANT

AND

REPUBLIC RESPONDENT

(Being an application for leave to file an appeal out of time from the judgment of the High Court of Kenya at Naivasha in CRA No. 46 of 2014)

RULING

1. The application before the Court is dated 8th January 2025.
The main prayer is for leave to appeal out of time against the judgment issued in CRA No. 46 of 2014. The applicant has not indicated the date the judgment sought to be appealed against was delivered. Therefore, much as he pleads for extension of time, there is no basis at all upon which I can compute time and ascertain whether there was a delay, and if so, whether it is excusable.
2. Accordingly, for want of such critical information which is highly relevant for a fair and proper determination of an application of this nature, I decline to make the orders sought. Doing so would amount to guess work and conjecture which is highly impermissible in judicial pronouncements. I therefore **dismiss** the application dated January 8, 2025, but grant leave to the applicant to file a proper application within **14 days** from the date of this ruling.

DATED AND DELIVERED AT NAKURU THIS 27TH DAY OF FEBRUARY, 2025.

J. MATIVO

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JUDGE OF APPEAL



I certify that this is a true copy of the original.

Signed.

DEPUTY REGISTRAR.

