



**Tum v Republic (Criminal Revision E130 of 2021)
[2025] KEHC 12417 (KLR) (4 September 2025) (Ruling)**

Neutral citation: [2025] KEHC 12417 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E130 OF 2021
RN NYAKUNDI, J
SEPTEMBER 4, 2025**

BETWEEN

ALEX KEMBOI TUM APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. Before this court is an application dated 15th day of June 2021 where the Applicant is seeking the following orders:
 - a. Spent
 - b. That the honorable court be pleased to review the Applicant’s sentence in CM’s court of Eldoret in Criminal Case No. E130 of 2021 to a custodial sentence
 - c. That the honorable court be pleased to invoke the provisions of section 333(2), 362, 363 & 364 (b) of the CPC and review the balance of his sentence to non-custodial sentence.

Decision

2. On the review of the application it is not supported by the primary record of the trial court. There is no evidential material to guide the court in exercising jurisdiction under section 362 as read with section 364 of the CPC. The application is dismissed in its entirety.

DATED, SIGNED AND DELIVERED VIA CTS AT ELDORET THIS 4TH DAY OF SEPTEMBER 2025

.....

R. NYAKUNDI



JUDGE

