



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Meso v Republic (Miscellaneous Criminal Application  
E066 of 2023) [2024] KEHC 8044 (KLR) (28 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 8044 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E066 OF 2023**

**RE ABURILI, J**

**JUNE 28, 2024**

**BETWEEN**

**CHARLES TUJU MESO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Kisumu High Court Criminal Case No. 28 of 2006)*

**RULING**

1. The Applicant is Charles Tuju Meso. He was convicted and sentenced to death vide Kisumu High Court Criminal Case No. 28 of 2006.
2. The death sentence was in 2016 commuted to life imprisonment.
3. He petitioned for resentencing vide HCCR Petition No. E006 of 2020 and vide Ruling of 16<sup>th</sup> March 2021, the death sentence was set aside and substituted with 30 years' imprisonment, to run from the date when he was first arrested.
4. The convict now prays for review of sentence to Community Service Order.
5. I find no jurisdiction to revise the 30 year prison further to a non-custodial sentence as the court already reviewed the sentence.
6. The convict will serve the remainder of the sentence in full considering the heinous offence of murder, for which he was convicted.
7. I so order.
8. Signal to issue.
9. This file is closed.



**DATED, SIGNED AND DELIVERED AT KISUMU THIS 28<sup>TH</sup> DAY OF JUNE, 2024.**

**R. E. ABURILI**

.....

**JUDGE**

I certify that this is a true copy of the original

Signed

**DEPUTY REGISTRAR**

