



**Shijedi v Republic (Criminal Revision 225 of 2024)
[2024] KEHC 11559 (KLR) (30 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11559 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 225 OF 2024
DR KAVEDZA, J
SEPTEMBER 30, 2024**

BETWEEN

BREVICK SHIJEDI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Brevick Shijedi is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
2. The applicant was convicted for the offence of defilement contrary to section 8(1) as read with 8(3) of the *Sexual Offences Act*, No. 3 of 2006. He was sentenced to serve fifteen (15) years imprisonment.
3. According to the Probation Report and the Recommendation letter from prison filed, the applicant has been receptive to Rehabilitation programs while in prison. Additionally, the report indicates that the applicant is remorseful and prays that he be granted an early release.
4. From the record, it is evident that the Applicant has served a total of three (3) years and six (6) months of imprisonment. Furthermore, the Applicant remained in custody for the duration of the trial, which extended for a period of one (1) year and one (1) month. In my considered view, the period already served is insufficient, as the Applicant has a substantial portion of the sentence yet to be completed.
5. In view of the foregoing, it is my finding that the applicant is not eligible for early release.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 30TH DAY OF SEPTEMBER 2024

D. KAVEDZA



JUDGE

