



**Adiya v Republic (Criminal Revision 39 of 2024)  
[2024] KEHC 13357 (KLR) (29 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13357 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 39 OF 2024  
DR KAVEDZA, J  
OCTOBER 29, 2024**

**BETWEEN**

**LEVIS MABARE ADIYA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and after a full trial convicted for the offence of Defilement contrary to section 8(1) as read with 8(2) of the [Sexual Offences Act](#) No 3 of 2006. He was sentenced to serve life imprisonment. He filed an appeal to this court and his sentence was reduced to 30 years imprisonment.
2. He has filed the present application received on 5<sup>th</sup> February 2024 seeking revision of sentence. He urged the court to revise the sentence of the trial court and consider time spent in remand in line with section 333(2) of the [CPC](#).
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant’s mitigation and the time spent in remand custody. Having considered the application in its totality. The sentence imposed was also legal in the circumstances of the case.
4. In my view I find no good cause or reason to revise the sentence imposed.
5. The application dismissed for lacking in merit.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 29<sup>TH</sup> DAY OF OCTOBER 2024**

**D. KAVEDZA**

**JUDGE**

