



REPUBLIC OF KENYA



**Kimweli v Republic (Criminal Revision E005 of 2025)  
[2025] KEHC 1924 (KLR) (6 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 1924 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT VOI  
CRIMINAL REVISION E005 OF 2025  
AN ONGERI, J  
FEBRUARY 6, 2025**

**BETWEEN**

**PAULO KIMATHI KIMWELI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant Paulo Kimathi Kimweli was sentenced to ten (10) years imprisonment for the offence of manslaughter on 1<sup>st</sup> December 2023.
2. The Applicant was in custody from 10<sup>th</sup> August 2021 when he was arrested and charged in court.
3. The Applicant has filed the application dated 17<sup>th</sup> January 2025 seeking review of the sentence on medical grounds.
4. The doctor who is attending to the Applicant has filed a report dated 8<sup>th</sup> January 2025 stating that the Applicant is required to start chemotherapy for anal carcinoma.
5. The Applicant who is extremely emaciated has told the court that he is unable to eat and survives only on porridge (his condition is deplorable).
6. He has been in custody since 10<sup>th</sup> August 2021 when he was arrested.
7. The application for review of his sentence is merited in the circumstances of this case. The same is not opposed by the prosecution.
8. I reduce the sentence of ten years to the period already served to enable the Applicant to undergo chemotherapy.
9. The Applicant to be released from custody forthwith unless lawfully held for any other reason.



**DATED, SIGNED AND DELIVERED THIS 6<sup>TH</sup> FEBRUARY 2025 IN OPEN COURT AT VOI.**

**ASENATH ONGERI**

**JUDGE**

In the presence of:-

Prosecutor: Evah Kanyuira

Court Assistant: Maina/Trizah

The Applicant present (crawling to court)

