



REPUBLIC OF KENYA



KENYA LAW
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**Nyawanda v Republic (Criminal Revision E003 of 2025)
[2025] KEHC 1645 (KLR) (17 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 1645 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E003 OF 2025
DR KAVEDZA, J
FEBRUARY 17, 2025**

BETWEEN

JAMES NYAWANDA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after full trial convicted of 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 life imprisonment.
2. Being aggrieved, the applicant filed an appeal application no. 86 of 2023 seeking an order from this court for the review of the sentence imposed by the trial court. Consequently, the life sentence was substituted by twenty years imprisonment.
3. From the record of the court, the applicant filed an appeal no. E194 of 2024 to the Court of Appeal seeking a review of the revised sentence and the appeal is still pending.
4. I find the application to be an abuse of the court process and dismiss it.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 17TH DAY OF FEBRUARY 2025

D. KAVEDZA

JUDGE

