



Nyagega v Republic (Miscellaneous Criminal Application E115 of 2024) [2025] KEHC 906 (KLR) (4 February 2025) (Ruling)

Neutral citation: [2025] KEHC 906 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E115 OF 2024**

**DR KAVEDZA, J
FEBRUARY 4, 2025**

BETWEEN

ISAAC MAKORI NYAGEGA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and 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 twenty (20) years imprisonment. His appeal before this court was dismissed in its entirety.
2. He has filed the present undated application received on 5th August 2024 seeking sentence review. The grounds raised in support of the application are that he is remorseful for the offence, he has rehabilitated and the time spent in custody has been sufficient rehabilitation.
3. I have considered the application, the affidavit in support and the applicable law.
4. From the record, the sentence was imposed by the trial court after considering the applicant’s mitigation, the pre-sentence report and the fact that he was a first offender. The sentence imposed was therefore legal.
5. For the foregoing reasons, the application is found to be lacking in merit and is dismissed.

Orders accordingly.

RULING DATED AND DELIVERED THIS 4TH DAY OF FEBRUARY 2025

.....

D. KAVEDZA

JUDGE

