



REPUBLIC OF KENYA



**Ratemo v Republic (Criminal Revision E019 of 2024)
[2025] KEHC 2327 (KLR) (17 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 2327 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E019 OF 2024
DR KAVEDZA, J
FEBRUARY 17, 2025**

BETWEEN

JOB NTABO RATEMO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged with the offence of defilement contrary to section 8(1) as read with 8(2) of the *Sexual Offences Act* No. 3 of 2006. The applicant's actions have been detrimental to the reproductive health of the complainant who was two-years old at the time of the incident. The applicant was sentenced to life imprisonment in accordance with the prescribed law.
 2. In 2009, he filed a petition of appeal application no. 314 of 2009 at the High Court challenging the conviction and sentence imposed by the trial court. The learned judge affirmed decision of the trial court and dismissed the appeal. The applicant then filed a second appeal no. 96 of 2014 at the Court of Appeal, based on the same grounds as his first appeal. Having looked into the circumstances surrounding the case as recorded by the trial court, the Court of Appeal found that the appeal lacked merit and dismissed it accordingly.
 3. Considering the nature of the offences that the applicant committed and the aggravating circumstances, it is my view that the life sentence is appropriate for the offence.
 4. I therefore find that the application is an abuse of the court process and it is hereby dismissed.
 5. The applicant is bared from filing any similar application without the leave of this court.
- Orders accordingly.

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



D. KAVEDZA
JUDGE

