



**Onyosi v Republic (Miscellaneous Criminal Application  
E015 of 2025) [2025] KEHC 2520 (KLR) (3 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 2520 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E015 OF 2025**

**DR KAVEDZA, J  
MARCH 3, 2025**

**BETWEEN**

**SALMON ODHIAMBO ONYOSI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and after a full trial convicted for the offence of rape contrary to section 10 of the *Sexual Offences Act* No. 3 of 2006. He was sentenced to serve 25 years imprisonment. His Appeal before this court was dismissed by Hon. Justice Ogembo (now deceased).
  2. He has filed the present application dated 27<sup>th</sup> January 2025 seeking sentence review. The grounds raised are that he has served a substantial term of his sentence. He is remorseful for the offence committed. He has undergone rehabilitation. He urged the court to revise the sentence of the trial court to a non-custodial sentence.
  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, the time spent in remand custody and the fact that the applicant was a first offender before sentencing. 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 by the trial court given the aggravating circumstances of the case.
  5. The application dismissed for lacking in merit.
- Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 3<sup>RD</sup> DAY OF MARCH 2025**

.....



**D. KAVEDZA**  
**JUDGE**

