



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Irungu v Republic (Criminal Revision E082 of 2024)  
[2025] KEHC 5583 (KLR) (6 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 5583 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION E082 OF 2024**

**DR KAVEDZA, J**

**MAY 6, 2025**

**BETWEEN**

**MARY WAITHERA IRUNGU ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged for the offence of trafficking in narcotic drugs, contrary to section 4(a) of the *Narcotic Drugs and Psychotropic Substances Control Act* No. 4 of 1994. After a full trial, she was convicted and sentenced to serve fourteen (14) years imprisonment. Her appeal before this court was dismissed.
2. She has filed the present application dated 11<sup>th</sup> November 2024 seeking sentence review. The grounds raised are that she is the sole breadwinner in his family who have suffered since her incarceration. She is remorseful for the offence committed. She has undergone rehabilitation. She 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. The application dismissed for lacking in merit.

**RULING DATED AND DELIVERED VIRTUALLY THIS 6<sup>TH</sup> DAY OF MAY 2025**

**D. KAVEDZA**

**JUDGE**

