



**Mwithi v Republic (Miscellaneous Criminal Application
E224 of 2024) [2025] KEHC 6401 (KLR) (6 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 6401 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E224 OF 2024**

JM OMIDO, J

MAY 6, 2025

BETWEEN

CHARITY MUNANIE MWITHI APPLICANT

AND

REPUBLIC PROSECUTION

RULING

1. I have considered the Applicant’s undated Notice of motion that seeks sentence review by reduction of his sentence.
2. On 25/3/25 and 25/4/25, I directed that the Officer in charge Kitui Women’s Prison files a report indicating any previous appeals, applications for sentence review and/or revisions that have been filed by the Applicant.
3. This court received a reported dated 29/4/25 which indicates that the Applicant was convicted and sentenced to death on 5/11/2010.
4. She filed an appeal to the Court of Appeal which was dismissed on 4/10/23.
5. On 30/1/20, her death sentence was reduced to 40 years imprisonment following her application for sentence review.
6. On 22/3/23, a ruling on her application was rendered that the years that she spent in remand be considered in her sentence, which was accordingly adjusted.
7. She has now filed another application for sentence review, which I decline as this court lacks powers to further review her sentence.
8. Her application is in the premises dismissed and this file closed.

DELIVERED, SIGNED AND DATED AT KISUMU THIS 6TH DAY OF MAY, 2025.



J. M. OMIDO

JUDGE

Applicant: Present, virtually.

For Respondent: Ms. Muema.

Court Assistants: Mr. Ngoge & Mr. Juma.

