



**Abudiko v Republic (Criminal Revision E063 of 2025)  
[2025] KEHC 7997 (KLR) (9 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 7997 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION E063 OF 2025**

**DR KAVEDZA, J**

**JUNE 9, 2025**

**BETWEEN**

**ISAAH ABUDIHO ..... 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*, No. 3 of 2006. He was sentenced to serve fifteen (15) years imprisonment.
2. He filed the present application and an affidavit in support of his motion seeking sentence review. The arguments raised are that the trial court failed to consider the time he spent in remand custody during the computation of his sentence.
3. I have considered the application, the affidavit in support and the applicable law. I have also considered the trial court record. The issue for consideration is whether the trial court considered the time the applicant spent in remand.
4. From the record, the trial court in its judgement failed to indicate that the time spent in remand custody had been considered.
5. In the premises, the application is allowed. The sentence of fifteen (15) years shall run from 7<sup>th</sup> May 2018 the date of the applicant’s arrest pursuant to section 333(2) of the *Criminal Procedure Code*.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 9TH DAY OF JUNE 2025**

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

