



REPUBLIC OF KENYA



KENYA LAW
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**Kiptoo v Republic (Criminal Revision E034 of 2025)
[2025] KEHC 10271 (KLR) (15 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10271 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
CRIMINAL REVISION E034 OF 2025
EM MUCHOKI, J
JULY 15, 2025**

BETWEEN

NICHOLAS KEIYO KIPTOO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant has stated that his application is for him to be committed to CSO (Community Service Orders). He was charged and convicted for the offence of incest and was initially sentenced to life imprisonment. However, when he appealed this court, (Rayola J), set aside the conviction for incest and substituted it with a conviction for indecent assault and reduced the sentence to imprisonment for five (5) years to run from the date of the sentence in the lower court.
2. Clearly, the present application is not made in good faith. It is one solely intended to get away with crime. Community Service Orders (CSO) is not for people who commit serious offences like sexual offences. It is for misdemeanours. The application is an abuse of the court process and it is dismissed for what it is. If the Applicant is aggrieved with his sentence, then the appropriate route to follow is an appeal to the Court of Appeal. The application has no merit and it is dismissed.

RULING SIGNED, DATED AND DELIVERED IN COURT VIRTUALLY THIS 15TH JULY, 2025.

E.N. MAINA

JUDGE

In the presence of:

Ms Nyauncho for the state

Applicant online from Nairobi West Prison

Geoffrey – Court Assistant

