



REPUBLIC OF KENYA



KENYA LAW
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**Kahawa v Republic (Criminal Revision E077 of 2025)
[2025] KEHC 10103 (KLR) (14 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10103 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E077 OF 2025**

DR KAVEDZA, J

JULY 14, 2025

BETWEEN

ROBERTSON ONZERE KAHAWA APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an application for sentence review against the sentence imposed
on 16th December 2022 at Kibera Chief Magistrate's Court Sexual
offences case no. 88 of 2018 Republic vs Robertson Onzere Kahawa)*

RULING

1. The applicant was charged and after a full trial convicted for the offence of sexual assault contrary to section 5(1)(a)(i) as read with section 5(2) of the *Sexual Offences Act*, No. 3 of 2006. He was sentenced to serve ten (10) years imprisonment.
2. He filed the present application dated 3rd June 2025 seeking sentence review. the grounds raised in support of the application are that he is 74 years old and since is incarceration, his health has deteriorated. He urged the court to issue 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.

RULING DATED AND DELIVERED VIRTUALLY THIS 14TH DAY OF JULY 2025.



D. KAVEDZA
JUDGE

