



**SKC v Republic (Criminal Revision E002 of 2024)
[2024] KEHC 2438 (KLR) (11 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2438 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KABARNET
CRIMINAL REVISION E002 OF 2024
RB NGETICH, J
MARCH 11, 2024**

BETWEEN

SKC APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was charged with the offence of incest contrary to section 20(1) of the [Sexual Offences Act](#). The particulars of the charge were that on the 15th day of September, 2013 at Baringo North Sub-County within Baringo County, being a male person did intentionally and unlawfully caused his penis to penetrate the vagina of JC a child aged 7 years who to his knowledge is his daughter.
2. The Alternative charge was the offence of committing an indecent act with a child contrary to section 11(1) of the [Sexual Offences Act](#). The particulars of the charge were that on the 15th day of September, 2013 at in Baringo North Sub-County within Baringo County, being a male person did intentionally and unlawfully committed an indecent act which caused his penis to come into contact with the buttocks of JC a child aged 7 years.
3. The applicant was sentenced to life imprisonment for the offence of defilement of a girl aged 7 years. He filed an appeal to the High Court and by delivered Judgment on 30/10/2019 by Justice Muriithi dismissed the appeal on conviction and sentenced the applicant to 20 years imprisonment. I note from the Judgement that Justice Muriithi ordered that the sentence was to commence from 19/11/2023 the date the trial court sentenced the applicant in PMC Cr. 758/2013.
4. In view of the fact that Justice Muriithi ordered specific date the sentence was to start and this court being a court with concurrent jurisdiction, I will not interfere with his decision. The applicant may file application for review/revision before the court of appeal if aggrieved by the High Court decision.



RULING DELIVERED, DATED AND SIGNED VIRTUALLY AT KABARNET THIS 11TH DAY OF MARCH 2024.

RACHEL NGETICH

JUDGE

In the presence of:-

Applicant present.

Ms Ratemo for State.

Kibet, Court Assistant.

