



OM v Republic (Criminal Revision 98 of 2024) [2024] KEHC 4714 (KLR) (7 May 2024) (Ruling)

Neutral citation: [2024] KEHC 4714 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 98 OF 2024**

DR KAVEDZA, J

MAY 7, 2024

BETWEEN

OM APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted for the offence of incest contrary to section 20 (1) of the [Sexual Offences Act](#) No. 3 of 2006. He was sentenced to serve ten (10) years imprisonment. He has filed the present application seeking revision of sentence.
2. The grounds raised are that the court failed to consider the time spent in pretrial custody. Since his incarceration, he has reformed. He is remorseful and has rehabilitated.
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.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 7TH DAY OF MAY 2024

D. KAVEDZA

JUDGE

