



**Agwenyi v Republic (Criminal Revision 197 of 2024)
[2024] KEHC 15533 (KLR) (4 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15533 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 197 OF 2024
DR KAVEDZA, J
DECEMBER 4, 2024**

BETWEEN

SOSPETER MACHUKA AGWENYI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Sospeter Machuka Agwenyi is suitable for consideration of their sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
2. The applicant was convicted on 4th November 2022 for the offence of Rape contrary to section 3 (1) as read with sec 3(3) of the *Sexual Offences Act* No.3 of 2006. He was sentenced to five (5) years imprisonment.
3. Having considered the application in its totality, I note that before sentencing, the trial court called for and considered the pre-sentencing report. The sentence imposed was also legal and lenient in the circumstances.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court. The applicant is directed to serve the remainder of his sentence.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 4TH DAY OF DECEMBER 2024

**D. KAVEDZA
JUDGE**

