



**Muli v Republic (Criminal Revision E096 of 2025)
[2025] KEHC 13609 (KLR) (2 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 13609 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E096 OF 2025
DR KAVEDZA, J
OCTOBER 2, 2025**

BETWEEN

BENSON MAITHIA MULI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was convicted of the offense of defilement contrary to section 8(1) as read with section 8(3) of the *Sexual Offences Act* No. 3 of 2006. He was sentenced to twenty years imprisonment. His appeal against conviction and sentence was dismissed by this court.
2. He filed the present application dated 6th August 2025 seeking sentence review. The grounds raised are that trial court failed to consider the time spent in remand custody during computation of sentence.
3. From the record, the applicant filed an appeal against his conviction and sentence which was heard and determined by this court. This court is therefore functus officio. The right forum for the applicant is the Court of Appeal.
4. In the circumstances, the application is dismissed.

Order accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 2ND OCTOBER 2025

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D. KAVEDZA

JUDGE

