



**Republic v Tesfalim (Criminal Revision E037 of 2025)
[2025] KEHC 14276 (KLR) (9 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 14276 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAPENGURIA
CRIMINAL REVISION E037 OF 2025
RPV WENDOH, J
OCTOBER 9, 2025**

BETWEEN

REPUBLIC APPLICANT

AND

BINIAM TESFALIM & 103 OTHERS RESPONDENT

***(FROM ORIGINAL CONVICTION AND SENTENCE
IN SPM CASE NO. E041 OF 2025 AT KAPENGURIA.)***

RULING

1. This matter has been placed before this court following a letter from Ag. Commissioner of Refugees Affairs dated 12/8/2025 seeking the setting aside of the order of the Senior Resident Magistrate courts dated 5/8/2025. I have read the said order which dealt with all the issues raised comprehensively. I decline to set aside the said Ruling and direct that the applicant complies with the due process provided under the [Refugees Act](#).

RULING DELIVERED, DATED AND SIGNED AT KAPENGURIA THIS 9TH DAY OF OCTOBER, 2025.

R. WENDOH

JUDGE

