James v Republic (Criminal Revision E116 of 2025)
[2025] KEHC 15430 (KLR) (24 October 2025) (Ruling)

Neutral citation: [2025] KEHC 15430 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT KIBERA

CRIMINAL REVISION E116 OF 2025

DR KAVEDZA, J

OCTOBER 24, 2025

BETWEEN

NYAWANDA JAMES ..... APPLICANT

AND

REPUBLIC ..... RESPONDENT

RULING

1. The applicant was charged with one count of defilement contrary to section 8 (1) as read with section 8 (2) of the *Sexual Offences Act* and two counts of attempted defilement contrary to section 9 (1) as read with 9 (2) of the same Act. He was acquitted of the two counts of attempted defilement. He was convicted for the offence of defilement and sentenced to life imprisonment.

2. The appellant's earlier appeal, Criminal Appeal No. 86 of 2023, was partially allowed, and this court substituted the sentence with twenty (20) years' imprisonment, effective from 11th October 2022.

3. The applicant thereafter filed Criminal Revision No. E003 of 2025, which was dismissed on 17th February 2025.

4. In that decision, the court expressly directed the applicant not to file a similar application, noting that doing so would amount to an abuse of the court process.

5. In the circumstances, the present application offends that directive and is accordingly dismissed.

   Orders accordingly,

RULING DATED AND DELIVERED THIS 24TH DAY OF OCTOBER 2025

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D. KAVEDZA

JUDGE