



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Ndichu v Republic (Criminal Revision E119 of 2025)  
[2025] KEHC 17355 (KLR) (26 November 2025) (Ruling)**

Neutral citation: [2025] KEHC 17355 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION E119 OF 2025  
DR KAVEDZA, J  
NOVEMBER 26, 2025**

**BETWEEN**

**WILLIAM KIMANI NDICHU ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged with three counts of offences namely: Count 1-unnatural offence contrary to section 162(a) of the Penal Code; Count II, Defilement contrary to section 8(1) as read with 8(3) of the *akn ke act 2006 3 Sexual Offences Act*, No. 3 of 2006; House breaking contrary to section 279(b) of the Penal Code. After a full trial, he was convicted and sentenced to serve 15 years imprisonment in count I, 20 years imprisonment in count II, and 5 years imprisonment in count III. The sentences were to run consecutively.
2. He has now filed an application seeking revision of sentence. He filed an affidavit in support of his motion. The grounds raised are that he is the sole breadwinner in his family who have suffered since his incarceration. He is remorseful for the offence committed. He has undergone rehabilitation. He urged the court to revise the sentence of the trial court to a non-custodial sentence.
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.
5. The application dismissed for lacking in merit.

**RULING DATED AND DELIVERED VIRTUALLY THIS 26<sup>TH</sup> DAY OF NOVEMBER 2025**



**D. KAVEDZA**  
**JUDGE**

