



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

**Wekesa v Republic (Criminal Revision 26 of 2025)
[2025] KEHC 17356 (KLR) (26 November 2025) (Ruling)**

Neutral citation: [2025] KEHC 17356 (KLR)

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

BETWEEN

DENNIS WEKESA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged, tried, and convicted of the offence of rape contrary to section 3(1)(a), (b) and (c) as read with section 3 of the *Sexual Offences Act* No. 3 of 2006. Upon conviction, he was sentenced to serve ten (10) years' imprisonment. Aggrieved by both the conviction and sentence, he lodged an appeal vide HCCRA No. 18 of 2024. The appeal was duly heard and was dismissed, thereby affirming both the conviction and the custodial sentence.
2. The applicant has now moved this court by a Notice of Motion dated 24th June 2025 seeking revision of sentence. The application is supported by an affidavit in which he depones that he is a father of two young children currently under the care of their elderly grandmother. He urges the court to consider a non-custodial sentence on account of the hardship suffered by his dependants. He further avers that while in custody, he has maintained good conduct and has undertaken several training programmes and counselling sessions aimed at rehabilitation.
3. I have considered the application, the supporting affidavit, the record of the trial court, and the mitigation placed before this court. In light of the applicant's conduct while in custody, the period already served, and the demonstrated efforts at rehabilitation, I am persuaded that the applicant qualifies for consideration for early release.
4. Consequently, I find that the period already served constitutes sufficient rehabilitation in the circumstances. The applicant is hereby released on probation for a period of one (1) year under the supervision of the Kibera Probation Officer.



Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 26TH DAY OF NOVEMBER 2025

D. KAVEDZA

JUDGE

