



REPUBLIC OF KENYA



**Otieno v Republic (Criminal Revision 356 of 2024)
[2025] KEHC 502 (KLR) (28 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 502 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 356 OF 2024
DR KAVEDZA, J
JANUARY 28, 2025**

BETWEEN

HELMANUS OTIENO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted for the offence defilement contrary to section 8(1) read with section 8(4) of the [Sexual offences Act](#) No 3 of 2006. He was sentenced to serve 20 years imprisonment. He has now filed an application seeking revision of sentence.
2. He has filed the present undated application filed on 4th December 2024 seeking revision of sentence. The grounds raised are that 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. The application dismissed.

RULING DATED AND DELIVERED VIRTUALLY THIS 28TH DAY OF JANUARY 2025

D. KAVEDZA

JUDGE

