



LKO v Republic (Miscellaneous Criminal Application 56 of 2024) [2025] KEHC 445 (KLR) (27 January 2025) (Ruling)

Neutral citation: [2025] KEHC 445 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION 56 OF 2024**

**DR KAVEDZA, J
JANUARY 27, 2025**

BETWEEN

LKO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted for the offence of incest contrary to section 20(1) of the *Sexual Offences Act*, No. 3 of 2006. He was sentenced to serve twenty years imprisonment. He filed an appeal challenging his conviction and sentence. The conviction was upheld and the sentence set to run from the date of arrest 29th January 2016.
2. He filed the present undated application received on 18th December 2024 seeking revision of sentence. The grounds in support of the application are that he has been rehabilitated. He urged the court to revise the sentence to consider the time spent in remand custody.
3. I have considered the application, the affidavit in support and the applicable law.
4. From the record, the applicant filed an appeal against his conviction and sentence which was heard and determined by this court. In the circumstances, the right forum for the applicant is the Court of Appeal.
5. In the circumstances, the application is dismissed for lack of jurisdiction.

Order accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 27TH DAY OF JANUARY 2025

D. KAVEDZA

JUDGE

