



**Keya v Republic (Criminal Revision 161 of 2024)
[2025] KEHC 3751 (KLR) (26 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3751 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 161 OF 2024
DR KAVEDZA, J
MARCH 26, 2025**

BETWEEN

JOSEPH ONGERI KEYA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Joseph Ongeri Keya is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
2. The applicant was convicted of the offense of defilement contrary to section 8(1) as read with section 8(2) of the *Sexual Offences Act* No. 3 of 2006. He was sentenced to ten years imprisonment.
3. From the records in the trial court, it is clear that the complainant is a very young child, highlighting the gravity of the offence committed. Additionally, the applicant’s sentence was commuted, but the seriousness of the crime remains evident. After thoroughly reviewing the circumstances leading to the applicant's conviction, it is clear that the offense is of a very serious nature.
4. Therefore, I hereby find that the applicant is not eligible for early release under the decongestion program. The applicant is ordered to serve the remainder of his sentence to completion.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 26TH DAY OF MARCH 2025.

**D. KAVEDZA
JUDGE**

