



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Momanyi v Republic (Criminal Revision E125 of 2024)
[2025] KEHC 3699 (KLR) (26 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3699 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E125 OF 2024
DR KAVEDZA, J
MARCH 26, 2025**

BETWEEN

LAMECK MOGOYA MOMANYI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Lameck Mogoya Momanyi 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 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 thirty (30) years imprisonment.
3. From the record in the trial court file, it is clear that the complainant was only seven years old at the time the offense occurred. The applicant's heinous actions caused significant trauma to the complainant's health, further emphasizing the severity of the offence. After reviewing the circumstances surrounding the applicant's conviction, it is evident that the crime committed is of a very serious nature. Additionally, the probation report regarding the applicant is not favourable, further supporting the decision.
4. I hereby find that the applicant is not eligible for early release. 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

