



**Vosereze & another v Republic (Criminal Revision 325 of 2024)  
[2025] KEHC 3736 (KLR) (26 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3736 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 325 OF 2024  
DR KAVEDZA, J  
MARCH 26, 2025**

**BETWEEN**

**NELSON VOSEREZE ..... 1<sup>ST</sup> APPLICANT**

**ABDI JAMES MUTUA ..... 2<sup>ND</sup> APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file was opened for purposes of considering whether the convicts Nelson Vosereze and Abdi James Mutua are suitable for consideration of their sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7<sup>th</sup> December 2022.
2. The applicants were convicted on three counts: Count I – robbery with violence under Section 296(2) of the *Penal Code*, Count II – abduction under Section 259 of the *Penal Code*, and Count III – gang defilement under Section 10 of the *Sexual Offences Act* No. 3 of 2006. They were each sentenced as follows: seven (7) years’ imprisonment for Count I, six (6) years for Count II, and fifteen (15) years for Count III. The sentences were to run concurrently from the date of arrest.
3. After reviewing the circumstances of their conviction, it is clear that the offences committed were of a grave nature. In my view, the sentences imposed were overly lenient.
4. Accordingly, the applicants are not eligible for early release under the decongestion programme. They shall serve their full sentences to completion.

**RULING DATED AND DELIVERED VIRTUALLY THIS 26<sup>TH</sup> DAY OF MARCH 2025**

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**D. KAVEDZA**



**JUDGE**

