



**Muindi v Republic (Miscellaneous Criminal Application
E051 of 2025) [2025] KEHC 5289 (KLR) (29 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 5289 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E051 OF 2025**

DR KAVEDZA, J

APRIL 29, 2025

BETWEEN

KISILU MUINDI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted for the offence of rape contrary to section 3(1) (a) and Section 162(a) of the *Sexual Offences Act*, No 3 of 2006. He was sentenced to serve thirty (30) years imprisonment in count I and fourteen (14) years imprisonment in count II to run concurrently.
2. He has filed the present undated application received on 14th March 2025 seeking revision of sentence. The grounds raised are that he is the sole breadwinner in his family who have suffered since his incarceration. 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.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 29TH DAY OF APRIL 2025

D. KAVEDZA



JUDGE

