



**Amara v Republic (Miscellaneous Criminal Application  
E052 of 2025) [2025] KEHC 9328 (KLR) (30 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 9328 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E052 OF 2025**

**DR KAVEDZA, J**

**JUNE 30, 2025**

**BETWEEN**

**SAMSON AMARA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and, after a full trial, convicted for the offence of defilement contrary to section 8(1) as read with section 8(3) of the *Sexual Offences Act*, No. 3 of 2006. He was sentenced to serve fifteen (15) years imprisonment. His appeal before this court in criminal appeal no. 1 of 2024 was dismissed on 24<sup>th</sup> October 2024.
2. He has now filed the present application seeking a further review of his sentence. He contends that since his incarceration, he has demonstrated genuine reform and that the sentence originally imposed was harsh and excessive in the circumstances. He urges this court to exercise its discretion to reconsider the sentence and to impose an alternative, more lenient punishment that reflects his rehabilitation efforts and prospects for reintegration into society.
3. I have carefully considered the present application, the submissions filed by the applicant, and the applicable legal provisions. From the record, it is evident that the applicant previously filed an appeal challenging both his conviction and sentence.
4. That appeal was duly heard and determined by this court. In the circumstances, this court has become functus officio and any further challenge to the conviction or sentence ought properly to be pursued before the Court of Appeal, which is the appropriate forum in law.
5. Accordingly, I find that the application before me is devoid of merit and is hereby dismissed in its entirety.



Order accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 30<sup>TH</sup> DAY OF JUNE 2025.**

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**D. KAVEDZA**

**JUDGE**

In the presence of:

Applicant Present

Mongereri for the State

Tonny Court Assistant

