



**Asikoye v Republic (Miscellaneous Criminal Application
7 of 2025) [2025] KEHC 11276 (KLR) (31 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 11276 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION 7 OF 2025**

DR KAVEDZA, J

JULY 31, 2025

BETWEEN

DAVID ANJICHI ASIKOYE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged with the offence of attempted defilement contrary to section 9(1) as read with section 9(2) of the *Sexual Offences Act*, No 3 of 2006. After a full trial, he was convicted and sentenced to serve ten (10) years imprisonment. His appeal in Criminal Appeal No E007 of 2025 was dismissed on 30th June 2025.
2. He has filed the present application dated 5th June 2025 seeking revision of sentence. The grounds raised are that he is the sole breadwinner in his family. Since his incarceration, his family has suffered psychological trauma. 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. From the record, the applicant filed an appeal against his conviction and sentence which was heard and determined by this court. This court is therefore functus officio. The right forum for the applicant is the Court of Appeal.
4. In the circumstances, the application is dismissed.

Order accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 31ST DAY OF JULY 2025

D. KAVEDZA



JUDGE

