



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Matandi (Criminal Case E002 of 2022)
[2023] KEHC 21478 (KLR) (28 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 21478 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VOI
CRIMINAL CASE E002 OF 2022**

**GMA DULU, J
JULY 28, 2023**

BETWEEN

REPUBLIC PROSECUTOR

AND

DANIEL MATANDI ACCUSED

RULING

1. I have considered the facts and circumstances of this case.
2. The accused herein is a first offender. He pleaded guilty to the charge and did not waste court valuable time and resources.
3. From the reports filed, it is apparent that the accused person suffers from mental illness. A number of medical or psychiatrist reports were filed herein.
4. The accused was dependant on someone whom he killed, and it is not clear whether presently he is in a state to live in the society with somebody else taking into account his mental condition.
5. I have been referred to a number of cases or ruling on sentencing especially *Republic v SWN* (2022) KEHC 3312, and *Charles Kipkoech Chirchir v Republic* (2021) eKLR.
6. In my view, the most appropriate sentence in the present case, is imprisonment, as the mental assessment report dated May 17, 2023 from Coast General Hospital is in the effect that he has no mental illness currently.
7. I thus sentence the accused person to three (3) years imprisonment.

DATED, SIGNED AND DELIVERED THIS 28TH DAY OF JULY 2023 IN OPEN COURT AT VOI.

GEORGE DULU



JUDGE

