



REPUBLIC OF KENYA



**Republic v Mutinda (Criminal Case E016 of 2020)  
[2023] KEHC 23335 (KLR) (28 September 2023) (Ruling)**

Neutral citation: [2023] KEHC 23335 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
CRIMINAL CASE E016 OF 2020  
A. ONG'INJO, J  
SEPTEMBER 28, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**MUTUSE MUTINDA ..... ACCUSED**

**RULING**

1. The accused person Mutuse Mutinda faces a charge of murder contrary to Section 203 as read with Section 204 of the *Penal Code*.
2. Particulars of the offence are that Mutuse Mutinda on the October 23, 2020 at Miritini Estate in Jomvu Sub-county within Mombasa County murdered Judith Mueni Mwanzia.
3. The prosecution called 10 witnesses to support its case and from the evidence of the prosecution witnesses, this court finds that a *prima facie* case has been established sufficient to place accused person on his defence. He has a case to answer.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,  
THIS 28<sup>TH</sup> DAY OF SEPTEMBER 2023.**

**HON. LADY JUSTICE A. ONG'INJO**

**JUDGE**

**In the presence of: -**

**Ogwel- Court Assistant**

**Mr. Ngiri for the State**

**Mr. Masolia Advocate for the Accused present in court**

**Accused present in person present in Shimo La Tewa Prison**



**HON. LADY JUSTICE A. ONG'INJO  
JUDGE**

**Order: Defence Hearing on 14.11.2023**

**HON. LADY JUSTICE A. ONG'INJO  
JUDGE**

