



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT KIAMBU**

**CRIMINAL CASE NO. E064 OF 2021**

**BETWEEN**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**GRACE ANNE WANJIRU.....ACCUSED**

**RULING**

1. The accused, **GRACE ANNE WANJIRU** was charged with the offence of murder contrary to **Section 203** of as read with **Section 204** of the Penal Code. Particulars are that on 7<sup>th</sup> July, 2019 at around 4.30 pm at Lari village Githobokoni Location in Gatundu North sub-county in Kiambu Kiambu County, she murdered **Nicholas Waweru Kinyanjui**.

2. She pleaded not guilty to the charge and particular read and explained to her on 20/12/2021. The probation officer was directed to prepare and avail a pre-bail report. Pre-bail report was filed. Today when the matter came up for bond application, the prosecutor indicated that the State is not opposed to accused being granted bond. *Mr. Karanja* for the accused informed the court that the accused has a child aged one year.

3. I have perused the probation officer's report. The report indicate that the accused aged 40 years is a single mother of 4 children, the oldest being in Form 3 and the youngest being one and half (1½) years old.

4. Report further indicate that the accused's family is well known by local administrator. The probation officer did not get comments from relatives of the victim who are related to the accused. The probation officer indicates in the report that one of the complainants' victims/relatives asked to communicate through text only and calls to the rest went unanswered.

5. The report further indicated that victim and accused are siblings and their mother has not recovered from the loss of her husband who was murdered earlier and now the son. She prayed that her daughter (accused) be considered for reasonable bond terms. She is ready to stand surety for her by depositing title deed jointly owned by her and her two sisters. She committed to support the accused in ensuring that she attends court when required.

6. No compelling reasons have been advanced to warrant accused being denied bond. The State is not opposed to accused being released on bond and her mother is willing to stand surety for her and ensure that she attends court when required.

7. I see no reason to deny accused bond. The accused to be released on bond of Kshs.1m with one surety of a similar amount.

**RULING DATED AND DELIVERED AT KIAMBU THIS 27<sup>TH</sup> DAY OF JANUARY, 2022.**

**RACHEL NGETICH**

**JUDGE**

**Coram:**

Court Assistant : Kinyua

For DPP :- Ms. Gacharia

For Accused :- Mr. Karanja

Accused : Present

**COURT**

RULING delivered virtually.

**RACHEL NGETICH**

**JUDGE**