



**Republic v Yegon (Criminal Case 9 of 2020)  
[2022] KEHC 14699 (KLR) (28 October 2022) (Sentence)**

Neutral citation: [2022] KEHC 14699 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KERICHO  
CRIMINAL CASE 9 OF 2020  
AN ONGERI, J  
OCTOBER 28, 2022**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**RONALD CHERUIYOT YEGON ..... ACCUSED**

**SENTENCE**

1. The Accused Person was initially charged with Murder Contrary to Section 203 as read with Section 204 of the [Penal Code](#).
2. The charge was subsequently reduced to Manslaughter contrary to Section 202 as read with Section 205 of the [Penal Code](#) following a successful plea bargain Agreement signed by the Accused Person on 16/6/2022.
3. The particulars of the charge were that on 30/3/2020 at Kipsitet Trading Centre in Soin/Sigowet sub-County, the Accused Person unlawfully killed Beatrice Cheptanui.
4. The facts as given by the Prosecution Counsel were as follows:-

The Accused Person cohabited with the Deceased from the year, 2018 around the month of July where each one of them was living in a different rented house within Kipsitet Trading Centre.

The Deceased was selling French Fries (Chips) at Kipsitet Market which she later left and worked at a Saloon within the same Trading Centre, while the Accused was working at Rai Cement Factory which is situated around 3 Kilometres from Kipsitet Trading Centre.

The Accused and the Deceased later moved to one rented houses within the same Trading Centre where they lived as husband and wife. The Accused would come home drunk and started quarrels and fights with the Deceased disturbing other tenants almost every night.



This continued for a while until one of the tenants who was living next door by the name Moses Etyang intervened and talked to the Accused advising him that quarrels and fights were not healthy in a relationship and that if that continued it will break their union.

It is this quarrels and fights that prompted the Deceased to shift from the rented house they were living with the Accused and went and rented a different house within the same centre for which she would live peacefully alone.

The Accused had suspected that the Deceased was cheating on him with another man hence become furious and demanded to know who the other man was, this was prompted by a call that was made to the Deceased.

The Accused inquired from the Deceased's friends where she had relocated to. Although they were hesitant to show him the rented house, they finally gave in after much persuasion from the Accused.

On the 30<sup>th</sup> day of March, 2020 at around 8:00 am, the Accused went to the plot where the Deceased resided as he had been directed, when he was at the gate, the Deceased was coming out of the house and immediately she saw him she retreated to the house in an attempt to lock herself in but unfortunately the Accused had reached, he entered into the house and sat on the bed. The Deceased persuaded the Accused to leave her house but the Accused stayed put. This is when a brief argument arose that prompted the Accused to pick a Kitchen Knife and stabbed the Deceased severally, all this while the Deceased was begging the Accused to forgive her and spare her life.

The Accused then called one of his neighbours by the name Sherine Chepngetich informing her that he had murdered Beatrice. He then picked the Deceased's mobile phone left the Deceased lying down writhing in pain and went out and boarded a motorbike and went to Kipsitet Police Station and informed the Police that he had killed somebody and gave the police the direction to the crime scene.

Sherine Chepngetich called the Deceased mobile phone which was answered by a Police Officer at Kipsitet who reiterated the same as earlier informed, later the body of the Deceased was moved to Kericho County Referral Hospital Mortuary.

On the 31<sup>st</sup> day of March, 2020, a Postmortem was conducted by Doctor Cherono Siele who opined that the cause of death was as a result of multiple injuries which resulted to the death due to hypolemic shock due to hemorrhage following multiple stab wounds.

Meanwhile the Accused who had surrendered himself to Kipsitet Police Station was arrested and charged with the offence of Murder Contrary to Section 203 as read with Section 204 of the [Penal Code](#) which has now been reduced to manslaughter Contrary to Section 202 as read with Section 205 of the [Penal Code](#).

5. The Learned Counsel for the Accused Person told the Court in his mitigation that the Accused Person is remorseful for the offence he committed and further that saved the Court's time by pleading guilty.
6. The Defence Counsel further said that the Accused Person has reformed and that while on bond, he was supporting the Children of the deceased.
7. The Defence Counsel asked for leniency and asked the Court to give the Accused Person a non-custodial sentence so that he can continue taking care of his children with the deceased and also his siblings.



8. The Probation Officer filed a Social Inquiry Report dated September 28, 2022 in which he gave the social background of the Accused Person which this Court has considered.
9. The deceased and the Accused Person were living together as husband and wife and at the material time, the deceased had moved out of the Accused Person's house and she had rented a house and this displeased the Accused Person who suspected that she was having an affair with another man.
10. The offence the Accused Person is convicted with is a serious one that calls for life imprisonment.
11. The Accused Person killed the deceased on mere suspicion that she was having an affair with another man.
12. The Accused Person followed the deceased to the place she had rented a room and he killed her after she had run away from him.
13. I find that a deterrent sentence is deserved.
14. The Accused Person does not deserve a non-custodial sentence.
15. I accordingly sentence him to twenty (20) years imprisonment.  
He has a right of Appeal against sentence within 14 days (explained).

**DELIVERED, DATED AND SIGNED AT KERICHO THIS 28<sup>TH</sup> DAY OF OCTOBER, 2022.**

**A. N. ONGERI**

**JUDGE**

