



**Republic v Tinega (Criminal Case E018 of 2021)  
[2022] KEHC 18069 (KLR) (19 December 2022) (Sentence)**

Neutral citation: [2022] KEHC 18069 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
CRIMINAL CASE E018 OF 2021  
WA OKWANY, J  
DECEMBER 19, 2022**

**BETWEEN**

**THE REPUBLIC ..... PROSECUTOR**

**AND**

**KEFA OMBAYE TINEGA ..... ACCUSED**

**SENTENCE**

1. I have considered the mitigation by the accused’s Counsel and the Probation Officer’s Pre-sentence Report filed by the Probation Officer on December 5, 2022.
2. The Pre-sentencing Report depicts the accused as a hardworking family man and the breadwinner of his family comprising six (6) primary school-going children. The deceased, who was the accused’s own toddler son aged only 2 years old was reportedly accidentally cut on the head by his father, the accused herein as he was allegedly cutting grass. The deceased later succumbed to the injuries.
3. This court notes the tragic circumstances that the accused lost his own young son. I am certain that the accused has had enough time to reflect on his actions during his stay in custody as he awaited his trial.
4. The accused pleaded guilty to a lesser charge of manslaughter, thus saving this court the time and resources that could have been spent on a full trial.
5. The accused is reported to be a first offender.
6. Taking into account all the circumstances of this case, I sentence the accused to three (3) years’ Probation.
7. The Probation Officer shall file a report at the end of the 3 years.

**SENTENCE DATED, SIGNED AND DELIVERED AT NYAMIRA VIA MICROSOFT TEAMS ON THIS 19<sup>TH</sup> DAY OF DECEMBER 2022.**



**W. A. OKWANY**  
**JUDGE**

