



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT MERU**

**HIGH COURT CRIMINAL CASE NO 41 OF 2020**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**AMOS MURIMI KIRIMI.....ACCUSED**

**SENTENCE**

1. The accused was at first charged with the offence of murder, which was consequently reduced to manslaughter pursuant to a plea agreement filed and adopted by the court on 19/7/2020. Pursuant to such agreement, the prosecution filed fresh charge to which the accused pleaded guilty and was convicted accordingly.

2. The court then called for a probation officer's social inquiry report before sentencing, which report was duly filed on 8/10/2021. As per the report, the accused is an unmarried drunkard and a first offender aged 31 years old. He is negatively and despicably depicted by members of the society due to his defiant and antisocial criminal behavior. It expresses the view and opinion that there is a real possibility that the accused might be lynched by members of the society if he is given a non-custodial sentence.

3. I have carefully considered the facts leading to the death of the deceased and the mitigation by the accused, that he committed the offence under the involuntary influence of alcohol. I have taken into account the views by the prosecution that, the injury inflicted upon the deceased was intended to cause grievous harm together with the gravity of the offence and I find that the accused does not merit leniency in the nature of a non-custodial sentence. Bearing in mind all the above and the recommendations made by the probation officer in his social inquiry report, I sentence the accused to serve an imprisonment term of 20 years to commence from the date of his arrest.

**DATED, SIGNED AND DELIVERED VIRTUALLY VIA MICROSOFT TEAMS THIS 27<sup>TH</sup> DAY OF OCTOBER , 2021**

**PATRICK J.O OTIENO**

**JUDGE**

**In presence of**

Mr. Waweru for the accused

Mr. Maina for the prosecution

Patrick J.O Otieno

Judge