



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAKURU**

**CRIMINAL CASE NUMBER 22 OF 2017**

**REPUBLIC.....PROSECUTION**

**VERSUS**

**JOHN NDUNG’U KAMAU.....ACCUSED**

**RULING 2**

Pursuant to the directions issued on 18<sup>th</sup> June 2021 I have received the three (3) reports;

- 1) From Probation and After Care Services
- 2) From the psychiatrist.
- 3) From the prison authorities

The psychiatrist is of the view that the accused’s mental illness is well controlled on treatment. The prison authorities confirm that other than being disorganised and unkempt, there is no evidence of violent behaviour. Probation and After Care Services do not have the capacity to manage mental illness, but can assist the accused to transition to the society.

Hence I now adopt the recommendation by the Probation Officer in the report filed on 7<sup>th</sup> December 2021 and direct;

1. That the accused is placed on Probation Supervision for three (3) years.
2. That one (1) year of that Probation Supervision be Makadara Probation Hostel where a vacancy has been confirmed.
3. That orders accordingly.

**Dated, Delivered and Signed this 20<sup>th</sup> Day of December, 2021.**

**Mumbua T Matheka,**

**Judge.**

**In the presence of:**

CA: Lepikas

Ms Murunga for state

Oumo for accused

Accused present