

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CRIMINAL REVISION NO. 18 'A' OF 2020

(CORAM: R. E. ABURILI - J.)

FREDRICK OCHIENG ALIAS OWILA OMUNGI

AND 7 OTHERS.....APPLICANT

VERSUS

REPUBLIC..... RESPONDENT

(Being a request dated 4.3.2020 by the trial court for directions on jurisdiction of the trial court in Siaya Principal Magistrate's Court, Criminal Case No. 143 of 2020 before Hon. Lester Simiyu, Principal Magistrate)

RULING

1. I have perused the trial court record and the order by Hon Lester Simiyu (Principal Magistrate) made on 4/3/2020. The offence of manslaughter allegedly took place at Ndigwa sub-location, Rarieda Sub County which is within the jurisdiction of the newly launched Rarieda court which has nonetheless not been operationalized.
2. That being the case, I invoke the Provisions of **Section 81 (2)** of the Criminal Procedure Code **Cap 75** Laws of Kenya and **order for transfer** of Siaya Principal Magistrate's Court **Criminal Case No. 143 of 2020** to Bondo Principal Magistrate's Court for hearing and determination by a Magistrate exercising competent jurisdiction.
3. Orders accordingly

Dated, signed and delivered at Siaya, this 20th Day of March 2020.

R.E. ABURILI

JUDGE