

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MAKUENI

CRIMINAL CASE NO. 45 OF 2017

REPUBLIC.....PROSECUTION

-VERSUS-

MUTUA PETER NTHANGU alias CHUA.....ACCUSED

RULING

1. The accused person has been charged with the offence of murder contrary to section 203 as read with section 204 of the Penal Code, Cap 63 of the Laws of Kenya.
2. The particulars are that on the night of 18th and 19th May 2009 at Kimooni village, Kiboko Location within Kibwezi District of the Eastern Province, accused person murdered Titus Mutisya Kyengo alias Tito.
3. The accused person pleaded not guilty and the prosecution called ten (10) witnesses in support of its case. I have carefully looked at the evidence on record and I am satisfied that the prosecution has established a *prima facie* case. Accordingly, the accused persons are placed on their defence.

DATED, SIGNED AND DELIVERED IN OPEN COURT AT MAKUENI THIS 31ST DAY OF MAY, 2019.

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C. KARIUKI

JUDGE