



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MAKUENI**

**HCCR NO. 3 OF 2017**

**REPUBLIC.....PROSECUTOR**

**-VERSUS-**

**MWIKALI MUNYAO alias JANET.....ACCUSED**

**RULING**

1. The accused is 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. Particulars being that on 10/02/2017 at Mithine Village in Kibwezi Sub-County within Makueni County murdered **Muteti Kiseli.**
3. The accused pleaded not guilty and the matter went into a trial. The prosecution called five (5) witnesses to prove its case.
4. At the close of the prosecution case the court is called to make a ruling on whether there is a prima facie case to warrant accused person to be put on his defence.
5. The accused advocate put in submissions but the prosecution opted to reply on the evidence on record.
6. After going through the evidence on record and the submissions tendered, I find that the evidence tendered is sufficient to warrant the accused to be put on her defence.
7. Thus the accused is put in her defence.

**SIGNED, DATED AND DELIVERED THIS 30<sup>TH</sup> DAY OF MAY 2019, IN OPEN COURT.**

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**C. KARIUKI**

**JUDGE**