

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NYERI

CRIMINAL CASE NO. 19 OF 2015

LAWRENCE WAMITI MUTHONI.....ACCUSED

VERSUS

REPUBLIC.....PROSECUTION

SENTENCE

Lawrence Wamiti Muthoni was charged with murder c/s 203 as read with 204 of the Penal Code. That on the 22nd day of August 2015 at Kicker's Club in Nyeri Town within Nyeri County within the Republic of Kenya he murdered David Kagwanja Murage.

On 30th April 2019 I found him guilty of manslaughter c/s 202 as read with 205 of the same code.

The pre-sentence report filed on 3rd June 2019 Ref NO.PS/NYR/POR/1003 indicates that the family of the victim have forgiven the accused and reached out for reconciliation towards the healing process.

The accused is remorseful. He is married with three children. The community speaks well of him despite his having domestic family problems.

Taking into consideration the circumstances of the offence, his being 1st offender, the views of the victim's family and the sentencing guidelines, I order that he be placed on probation supervision for three years.

Dated, signed and delivered in open court at Nyeri this 28th June 2019.

Mumbua T. Matheka

Judge

In the presence of:

Court Assistant: Juliet

Accused person

Mrs. Owour for state

Mr. Njuguna Kimani for the accused

Mr. Mwema-Probation Officer

Judge