



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MAKUENI

HCCRC NO. 14 OF 2019

REPUBLIC.....PROSECUTION

-VERSUS-

JKW.....ACCUSED

RULING ON SENTENCING

1. **JKW** the accused herein, is a juvenile aged 16 years. He was charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code.

2. The charge was reduced to manslaughter after a plea bargain agreement and **JK** pleaded guilty and was convicted. The deceased was his father, who brought him up after the mother died while he was only aged six (6) months.

3. Nothing has been said on how the juvenile herein lived with the deceased father. This was important as it played a role in the incident forming the charge herein.

- The boy needs a lot of support from the Children's department and the family members who are living.
- He needs counselling and monitoring.
- He has to continue and complete his education and become the person God created him to be.
- His only sibling is an elder brother who appeared before this court at one point. He does some casual business in Nairobi. The court cannot rely on him to mould the juvenile herein.
- His maternal grandmother is willing to accommodate him for now.

Orders

i. I therefore place the juvenile on probation for three (3) years.

ii. He will be under the direct supervision of the county children's office Makueni and overseen by **Mr. R. Omolo** who is the current sub county children's officer and who did the pre-sentence report.

iii. **Mr. R. Omolo** is hereby mandated to convene meetings between the juvenile's paternal and maternal relatives and any other person or organization to ensure the juvenile finds a school to join and does not lack fees and upkeep.

iv. He is hereby released into the custody of his maternal grandmother – **SM of Mwala sub county Machakos county**.

Orders accordingly.

DELIVERED, SIGNED & DATED THIS 6TH DAY OF AUGUST 2019, IN OPEN COURT AT MAKUENI.

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H. I. ONG'UDI

JUDGE