

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MAKUENI

HCCRC NO. 13 OF 2018

REPUBLIC.....PROSECUTION

VERSUS

JACKSON MWANIA NGWILI.....ACCUSED

RULING

1. The accused stands charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code.
2. The prosecution presented eight (8) witnesses to support its case. The witnesses have explained what they each did, heard and/or saw.
3. Mr. Mathenge for the accused has submitted that the evidence is not sufficient to establish a prima facie case. He argues that the deceased was the aggressor.
4. I have considered all the evidence plus the submissions. The accused has been placed at the scene.
5. I am satisfied that there is sufficient evidence to make this court place the accused on his defence which I hereby do under Section 306 (2) Criminal Procedure Code.

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