

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CRIMINAL CASE NO 63 OF 2011

REPUBLICPROSECUTOR

VERSUS

JOHNSON KIRIM GITUMAACCUSED

SENTENCING

1. I have considered the matter. The death sentence is hereby set aside in view of the Muruatetu decision.
2. I have considered that the accused is a 1st offender. That he is remorseful and has asked for forgiveness from the victim's family. I have considered his age and that he is the only surviving parent of 2 teenage children who need parental guidance and support.
3. I have also considered that a life was lost and the circumstances it was lost.
4. I have considered the victim Impact Report dated 30/10/2019. The same is positive of the accused.
5. I have considered that the accused has been in custody since 2011 and the judiciary principles of sentencing.
6. In the circumstances I sentence the accused to five (5) years. The sentence is to run from 17/12/2015.

A. MABEYA

JUDGE

31/10/2019