

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

CRIMINAL CASE NO. 33 OF 2015

REPUBLIC.....PROSECUTOR

VERSUS

DANSON COMBA RIUNGU.....ACCUSED

RULING

I have considered the mitigation by the accused. I however wonder how he could now say his family needs him yet that never occurred to him when he beat his own wife to death. Whereas rehabilitation of offender is one of the purposes of justice, deterrence is equally a noble objective of justice. I note that the probation officer's report proposes a non - custodial sentence. But such violence on spouses is something we should stamp out of the society for it decimates families, affects children and society at large.

I have also considered the age of the accused. But given the circumstances of this case, non-custodial sentence may not be appropriate. However, taking into account that he has been in custody for 4 years, I sentence him to serve 3 years in jail. Right of appeal explained 14 days. It is so ordered.

F. M GIKONYO

JUDGE

30/10/2019