

IN THE HIGH COURT OF KENYA AT KISII

(CORAM: R.E OUGO)

CRIMINAL CASE NO.7 OF 2017(MURDER)

REPUBLIC.....PROSECUTOR

-VERSUS-

MCP.....ACCUSED

SENTENCE

1. The accused is a first offender. The accused is said to have been mentally unstable at the time she committed the offence. The psychiatrist report dated 16th August 2018 indicates she is now of sound mind. A child of 4 years lost its life in a painful way. Though the probation report is favourable the victim's father is still in pain and told this court that accused should serve a custodial sentence.

2. The accused has been in remand from May 2017. In her mitigation she is remorseful. Considering the circumstances of the case the accused shall serve a period of ten (10) years imprisonment. She has a right of appeal within 14 days.

Dated, signed and delivered at Kisii this 29th day of October 2019.

R.E. OUGO

JUDGE

In the Presence;

Mr. Nyangacha for the accused person

Mr. Otieno Senior state counsel office of the DPP

Ms. Rael Court Clerk