

KTL.NO.638/2019

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KITUI

CRIMINAL CASE NO. 32 OF 2015

REPUBLIC.....PROSECUTOR

VERSUS

SAMMY NGATI MUNYALO.....ACCUSED

R U L I N G

1. Upon arraignment in Court, the Accused was charged with the offence of **Murder** contrary to **Section 203** as read with **Section 204** of the **Penal Code (Cap. 63), Laws of Kenya**. Particulars of the offence are that on the **31st** day of **January, 2015** at around **5.30 p.m.** at **Kiimani Village, Kanyonyo Location, Lower Yatta Sub-County** within **Kitui County** in the **Republic of Kenya** murdered **Maria Mueni** and **Mwongeli Mueni** (Deceased).
2. At the close of the Prosecution's case the fact of death of the two minors was established. The cause of death was internal haemorrhage as a result of blunt force, vaginal and anal penetration and strangulation after sodomy, respectively.
3. The Accused having been placed at the scene of the incident, it behooves him to render an explanation as to what transpired pursuant to the provisions of **Section 306(2)** of the **Criminal Procedure Code**.
4. It is so ordered.

Dated, Signed and Delivered at Kitui this 19th day of November, 2019.

L. N. MUTENDE

JUDGE