



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CRIMINAL CASE NO. 104 OF 2013

REPUBLIC PROSECUTION

VS

JULIUS KITHIRIME ACCUSED

RULING

The accused Julius Kithirime was charged with the offence of murder contrary to section 204 of the penal code.

The particulars were that Julius Kithirime on the 17th day of October 2012 at Kaumone village, Akirang' Ondu location Igembe North Sub County within Meru County murdered Francis Mwiti.

PW1 and PW5 saw the accused and 2 other people known to them namely Mwenda and Musiku attack and injure the deceased. They said the accused had an axe and/or jembe handle which he used to hit the deceased on the head. The deceased died 2 months later while undergoing treatment.

From the evidence of the 6 prosecution witnesses and from the written submissions filed herein this court is of the opinion the prosecution has proved prima facie that the accused committed the offence.

The accused therefore has a case to answer and is placed on defence.

HON. A.ONG'INJO

JUDGE

RULING SIGNED, DELIVERED AND DATED THIS 21st DAY OF JUNE 2018.

IN THE PRESENCE OF:

C/A:-Penina

Prosecution: - Mr Kiarie for state

Accused: - Present in person

Ms Nyagah Advocate for accused.

Ms Nyagah

Accused will give sworn statement and will call one witness. We seek that court assists us issue summons to Jeremiah Kainga of Kaumone village, Akirangondu sub-location Machungulu Location.

HON. A.ONG'INJO

JUDGE