



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CRIMINAL CASE NO. 105 OF 2013

REPUBLIC.....PROSECUTION

VERSUS

TITUS KATHURIMA.....ACCUSED

RULING

The accused Titus Kathurima was charged with the offence of Murder contrary to Section 203 as read with section 204 of the Penal code. Particulars are that Titus Kathurima on the 9th day of December 2013 at Kironya village Naari Location Buuri District within Meru County murdered Martin Murithi.

The deceased told PW1 Joseph Muthomi that accused had assaulted and injured him. PW2 Alex Murithi was at accused persons place when the deceased went to inquire about his fertilizer from the accused and a fight ensued, PW2 was unable to separate them and he left them fighting.

PW4 Douglas Kaimenyi went to borrow cigarette from the deceased on 1.12.2013 and found him injured. Deceased told him it was accused who had assaulted and injured him with an unknown weapon. PW4 organised to take the deceased to hospital after 2 days and he was admitted but he died on 9th December 2013.

Dr Njeru did post mortem on the body of the deceased and established cause of death as severe head injury due to blunt force trauma. The evidence of the 6 witnesses for the prosecution point directly at the accused as the one who perpetrated the death of the deceased herein. A prima facie case has been established. Accused has a case to answer and he is placed on defence.

HON. A.ONG'INJO

JUDGE

RULING SIGNED, DELIVERED AND DATED THIS 2ND DAY OF AUGUST 2018.

IN THE PRESENCE OF:

C/A:-Penina

Mrs Ntarangwi Advocate for Accused

Mrs Mwathi for state.

Court:

S.211 CPC complied with.

Mrs Ntarangwi:

Accused will give sworn statement. He doesn't have witnesses.

Order

DHg – 4.10.2018

HON. A.ONG'INJO

JUDGE