

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

HC CRIMINAL CASE NO. 81 OF 2014

REPUBLIC.....DPP

VERSUS

ANDRIANO KITHUMBIACCUSED

RULING ON SENTENCE

1. I have considered the able mitigation made on behalf of the accused. That he is a first offender. That he is sickly and of advanced age. I have considered that he has been in custody since 2014.

2. However, a life was lost at his hands. The victim Impact Report dated 26/09/2018 that is on record is critical of him.

3. I have also considered the brutal manner in which he ended his brother's life.

4. In the circumstances, I will spare the accused the death penalty but sentence him to life imprisonment.

14 days Right of Appeal explained.

A. MABEYA

JUDGE

27/09/18