

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

CORAM: D.S MAJANJA J.

CRIMINAL CASE NO. 24 OF 2017

BETWEEN

REPUBLIC.....PROSECUTOR

AND

D K N.....ACCUSED

RULING ON SENTENCE

The accused, D K N was convicted of the offence of murder. I found him guilty but insane under the provisions of **section 166(1)** of the Criminal Procedure Code. The evidence showed that he was suffering from Schizophrenia but at this time he is mentally fit as evidenced by the Psychiatrist report dated 11th October 2018.

In order him to get the necessary treatment, I commit him to Mathari Mental Hospital for a period of ten (10) years subject to review by the court in accordance with **section 166** of the Criminal Procedure Code after every two (2) years.

Dated and delivered at Kisii this 29th day of November 2018.

D.S MAJANJA

JUDGE

Mr. Orinda, Prosecution Counsel, instructed by Office of Director of Prosecutions.

Mr. Okenya Advocate, for the accused.