



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL CASE NO.74 OF 2013

REPUBLIC .....PROSECUTOR

VERSUS

HANNAH MUHITO NJOROGE.....ACCUSED

**RULING**

The accused **Hannah Muhito Njoroge** is charged with the offence of murder contrary to section 203 as read with Section 204 of the Penal Code. The particulars of the offence are that on the 23<sup>rd</sup> day of November, 2012 at about 2.00a.m. at Riakahara Village in Githunguri District within Kiambu County jointly with others not before the court, murdered **Simon Njoroge Richu**.

The prosecution case is that the accused and the deceased were husband and wife respectively. On the material night they were alone in the house together with their minor son. The accused raised an alarm around 2.00a.m.and when neighbours responded she informed them that thugs had attacked their home and killed her husband. Initial investigation revealed that she was the main suspect and at the conclusion of the investigations was subsequently charged.

The prosecution called 9 witnesses to prove its case. The gist of the prosecution case is that circumstantial evidence point to the accused as the one who committed the offence because other than their minor child, the accused was the last person with the deceased alive. The family kitchen knife was found in the couple's bedroom where the deceased's body lay.

From my consideration of the evidence now on record and the submissions of the parties, I find that the prosecution has established a *prima facie* case against the accused. She has a case to answer and may proceed with her defence in accordance with Section 306 of the Criminal Procedure Code.

Orders accordingly.

**Ruling delivered, dated and signed at Nairobi this 29<sup>th</sup> day of February, 2016**

**R. LAGAT-KORIR**

**JUDGE**

In the presence of:-

.....: Court clerk

.....: Accused

.....: For accused

.....: For State