

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT GARISSA

CRIMINAL CASE NO. 14 OF 2013

REPUBLIC PROSECUTOR

V E R S U S

MOHAMED NOOR KASSIM "ALIAS" GAANDO..... ACCUSED

RULING

The accused stands charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code. The prosecution has now tendered its evidence and closed its case.

At the close of the evidence for the prosecution, the defence through learned Counsel Mr. Onono elected not to make submissions on a case to answer. The prosecution however through Prosecuting Counsel Mr. Okemwa emphasized that they had called 8 witnesses and produced a number of exhibits, and established a prima facie case against the accused person.

Having perused the evidence on record, I am of the view that the prosecution has established a prima facie case against the accused Person herein. The accused is thus put on his defence. I hereby proceed to explain to him the options available in his defence under Section 211 of the Criminal Procedure Code.

Dated and delivered at Garissa this 13th day of October 2016.

GEORGE DULU

JUDGE