

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL CASE NO.59 OF 2011

REPUBLIC.....PROSECUTOR

VERSUS

MICHAEL MUKHWANA ANYANGO..... ACCUSED

RULING

Michael Mukhwana Anyango is charged with the murder of one **Naomi Mwikali Mweu**. It is alleged that he committed the offence on 3rd day of June 2011 at Njiru township, Njiru District within Nairobi Province. The accused and the deceased cohabited as husband and wife.

The prosecution has presented a total of nine witnesses whose testimony I have carefully considered. From their testimonies, the accused is said to have beaten the deceased on night of 2nd of June 2011 until she became unconscious. He thereafter abandoned her and she later succumbed to the injuries inflicted. The medical evidence showed that the deceased was seriously assaulted.

I find that the prosecution has established a *prima facie* case against the accused. I put the accused on his defence in accordance with Section 306 of the Criminal Procedure Code.

Orders accordingly.

Ruling delivered, dated and signed at Nairobi this 25th day of February, 2015

R. LAGAT - KORIR

JUDGE

In the presence of:

.....: Court clerk

.....: Accused

.....: For the accused

.....: For the state