



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**CRIMINAL CASE NO. 68 OF 2011**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**RONALD WATEBA NANGULU... ..ACCUSED**

**RULING**

The accused, **Ronald Wateba Nangulu** is charged with murder contrary to section 203 as read with Section 204 of the Penal Code. The particulars of the charge are that on 17<sup>th</sup> day of May 2004 at **Pipeline Estate in Embakasi** within **Nairobi County** murdered **Asha Mwikali Musa**. He denied the charge when arraigned in court on 5<sup>th</sup> December, 2011 and was remanded in custody. The prosecution then called a total of nine witnesses in the trial.

The summary of the prosecution case which has emerged from the witnesses' testimonies is that the deceased and two others went to the accused's home where she had an issue to sort out with the accused's wife. They found the accused and his wife at home. The deceased and the accused's wife began to quarrel and fight. The accused, who was present, did not intervene but when the fighting stopped, he locked them in the house and left for work. When he returned in the evening, he assaulted the deceased and her friends using a walking stick and only let them go after the intervention of the neighbours. The deceased collapsed on the way home and was assisted to get into her house where she later succumbed to her injuries. The post mortem report shows that the deceased died of multiple injuries due to blunt trauma.

Having carefully considered the evidence now on record and the submissions of respective counsel, I find that the prosecution has established a prima facie against the accused. I require him to enter into his defence in accordance with the law.

Orders accordingly.

**Ruling delivered, and signed at Nairobi this 26th day of March, 2015.**

**R. LAGAT – KORIR**

**JUDGE**

In the presence of:

.....: Court clerk

.....: Accused

.....: For the accused

.....: For the State