

REPUBLIC OF KENYA

IN THE HIGH COURT AT MALINDI

CR. NO.19 OF 2013

REPUBLIC.....PROSECUTION

VRS

KINGI KENGA KAZUNGU.....ACCUSED

SENTENCE

The accused person was convicted of the offence of murder contrary to section 203 as read with section 204 of the Penal Code. Counsel for the appellant submitted in mitigation that the accused is remorseful and is only 25 years old. He was the sole breadwinner for his young family and has been in custody since August 2013.

The record shows that the accused was charged with two counts of murder. He was found guilty for both counts. Under the Penal Code the sentence for murder is death. Article 26 (3) of the Constitution allows the deprivation of life under written law.

Although the accused is a young man, he killed his father and aunt. I have read the sound inquiry report which does not change the fact that two lives were lost. Taking the circumstances of the case, the accused is sentenced to serve thirty years imprisonment for each count. The sentence to run concurrently.

Dated, signed and delivered at Malindi this 28th day of May, 2015.

SAID CHITEMBWE

JUDGE