

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL CASE NO. 80 OF 2012

REPUBLIC.....PROSECUTOR

VERSUS

MARGARET NDUNGE MUTUA.....ACCUSED

RULING

Margaret Ndunge Mutua, the accused before the court, is charged with the murder of Jackson Kimeu, deceased contrary to section 203 read with section 204 of the Penal Code. The particulars of the charge show that the offence was committed on 2nd October 2012 at Mailisaba Village in Nairobi District within Nairobi Province. The accused is represented by Mr. Wamwayi, advocate. The prosecution was led by Ms Ikol, prosecution counsel.

Seven witnesses have testified for the prosecution. At the close of the prosecution case this court must determine whether the evidence on record is sufficient to establish a prima facie case to require the accused to defend herself. I have analyzed the entire record of the proceedings. I am satisfied that there is sufficient evidence to require the accused to defend herself. I will and do hereby put her on her defence. She is hereby informed of her right to address this court either in person or through her advocate on the manner she prefers to defend herself, whether by taking an oath or without taking an oath. She is also informed of her right to inform the court if she wishes to call any witnesses to testify in her defence. It is so ordered.

Dated, signed and delivered this 22nd day of June 2015.

S.N. MUTUKU

JUDGE