

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL CASE NO. 52 OF 2010

REPUBLIC.....PROSECUTOR

VERSUS

SAMUEL MBUGUA MWAURA ACCUSED

RULING

The accused, **Samuel Mbugua Mwaura** is facing trial for the murder of **Charles Maina Mwangi**. He is alleged to have committed the offence on 30th June/1st day of July, 2010 at **Pipeline Estate** in **Embakasi** within **Nairobi County**. He denied the charge when arraigned in court on 2nd August, 2010.

The prosecution has called a total of 7 witnesses. At the close of the prosecution's case both the prosecution and the defence filed written submissions. I have carefully considered the evidence now on record and the submissions filed on behalf of the accused and the Republic.

I find that the prosecution has established a *prima facie* case to warrant putting the accused on his defence. He has a case to answer. I require him to make his defence as per **Section 306 of the Criminal Procedure Code**.

Ruling delivered and dated at Nairobi this 27th day of May, 2014

R. LAGAT - KORIR

JUDGE

In the presence of:

.....: Court clerk

..... : 1st Accused

.....: For the Accused

.....: For the State