

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT EMBU

HCR. 9 OF 2012

REPUBLIC.....PROSECUTION

VERSUS

EM.....ACCUSED

RULING ON SENTENCE

Before me are two Age Assessment reports. The one dated 6/3/2012 shows that as at the time this offence was committed the accused was about 16 years of age. The 2nd one dated 5/6/2014 states that the accused is above 18 years. This 2nd report does not assist the Court in the purpose for which the report was requested for. Being above 18 years can mean anything. I will therefore rely on the assessment report dated 6/3/2012 which confirms that the accused was below 18 years when he committed this offence.

He has been in prison for 2 years plus 3 months and has admitted the charge. The deceased was his father and I believe the thought of his death haunts him.

The Probation Officer D.N. Mukuha had prepared a very detailed report which has covered all the points required. Its an excellent and favourable report.

The accused will serve 3 years on Probation to assist him in rehabilitating him back into the family and society.

DELIVERED, DATED AND SIGNED AT EMBU THIS 19TH DAY OF JUNE 2014.

H.I. ONG'UDI

JUDGE

In the presence of:-

Mr. Miiri for State

Accused

Njue CC