



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT KERICHO**

**CRIMINAL CASE NO. 18 OF 2014**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**SARAH CHEPKEMOI MOSO.....ACCUSED**

**RULING ON SENTENCE**

The accused was initially charged with Murder which was reduced to Manslaughter after a plea bargaining.

The circumstances leading to the commission of this offence are well set out in the facts. The social inquiry report confirms that this is a case of a woman who was mistreated and abused by her husband who was alcoholic. She acted in real self defence. It is clear she did not intend to cause serious injury to the deceased while at the same time she had to protect herself against the abusive husband.

Considering all the facts and circumstances, I hereby discharge the accused under **Section 35(1)** of the **Penal Code** on condition that she does not commit any offence in the next 12 months.

**Dated, signed and delivered this 28<sup>th</sup> day of November, 2014**

**H.I. ONG'UDI**

**JUDGE**

**In the presence of :**

M/S Keli for State

Mrs. Bett for Accused

Accused

Korir – Court Assistant