

REPUBLIC OF KENYA

High Court at Kakamega

Criminal Case 5 of 2008

REPUBLIC PROSECUTOR

V E R S U S

JOEL WYCLIFFE ADIELA ACCUSED

S E N T E N C E

The accused person was found guilty of the offence of manslaughter contrary to Section 202 as read with Section 205 of the Penal Code. In mitigation, counsel for the accused submitted that the accused is remorseful. He is 39 years old and has one wife and two children.

The circumstances of the case are that the deceased was a brother to the accused. The witnesses are family members and from the evidence on record, it is clear that the accused is violent especially when he is drunk as was the situation in this case. I note that the accused has been in custody since January 2008, a period of five years. However, he needs to serve more time in prison so that he can retrace his steps and change his behavior. The accused is sentenced to serve three (3) years imprisonment.

Delivered, dated and signed at Kakamega this 31st day of January, 2013

SAID J. CHITEMBWE

J U D G E