

REPUBLIC OF KENYA

High Court at Nyeri

Criminal Case 2 of 2012

REPUBLIC.....PROSECUTOR

Versus

FRANCIS KINUTHIA NJAMBI.....ACCUSED

SENTENCE

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The accused was charged with the offence of murder but the charges were subsequently reduced on plea agreement to manslaughter to which he pleaded guilty and was convicted on his own plea of guilty.

In mitigation Mr. S.K. Njuguna for the accused has urged the court to take into account the fact that the accused is 17 years old and was living with the deceased being a child of a single mother.

To enable the court pass an appropriate sentence the court ordered for probation report which has been filed before the court and in which the probation officer has recorded that the accused be ordered to stay in Kimumu Probation Hostel as stipulated in the children's Act Section 191(1)(j) for a period of one year.

I have looked at the circumstances of this case and the circumstances under which the offence was committed and have also noted that under section 186(c) the accused person shall have the matter determined without delay and noted that the accused has been in custody for over one year, I therefore agree with the submissions by the Probation Officer and hereby sentence the accused person to one year probation stay at Kimumu Probation Hostel.

Dated and delivered at Nyeri this 12th day of February 2013.

J. WAKIAGA
JUDGE

Court: The sentence is read in open court in the presence of the accused, Mr. Njuguna for the accused and Miss Kitoto for the State.

J. WAKIAGA
JUDGE