



**REPUBLIC OF KENYA**

**High Court at Embu**

**Criminal Case 6 of 2008**

**REPUBLIC ..... PROSECUTOR**

**VERSUS**

**JAMES MURIMI KARIUKI ..... ACCUSED**

**RULING ON SENTENCE**

The accused was 1<sup>st</sup> arraigned in Court on 4/7/2008. He has been in Remand for almost 5 years. From the evidence adduced the accused and deceased must have been friends. They had been seen hanging out together just before the incident. The accused took himself to the police station. He even took the murder weapon to the police station. The offence the accused was charged with and convicted of carries a sentence of death. However the law now allows a person convicted of murder to mitigate. I have heard and considered the accused's mitigation in light of what I have stated above. None of the witnesses seemed to know what led to the stabbing of the deceased by the accused. The accused is an old man who appears sickly. Before considering the kind of sentence to pass I would wish to have a detailed social inquiry report on the accused person. The same to be filed in Court on or before 11/4/2013 when the matter will be mentioned.

**DATED AND DELIVERED AT EMBU THIS 15<sup>TH</sup> DAY OF MARCH 2013.**

**H.I. ONG'UDI  
J U D G E**

**In the presence of:-**

**Ms. Miiri for State**

**Mr. Githinji for accused**

**Accused**

**Njue CC**