

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT EMBU

MURDER 22 OF 2010

REPUBLIC.....PROSECUTION

VERSUS

JOHN NJIRU NJIRU.....ACCUSED

RULING ON SENTENCE

The offence herein was committed on 16/7/2010 and the accused was arrested soon thereafter. He has been convicted of manslaughter after a plea bargaining arrangement. He killed his own wife. He attributes this to mistrust and the alcohol he had taken.

The accused's mother in law still feels the loss of her daughter. This is quite normal. The couple had one child now aged 3½ years. What the accused did was very irresponsible. I have however considered his mitigation. I have considered also the period he has been in custody.

I will sentence him to five (5) years imprisonment. He will serve the first 2½ years in prison while the 2nd face of 2½ years will be served on probation! This condition of service on Probation if not complied with will result in him serving the whole term in prison. This is clearly explained to him.

Right of appeal explained.

DELIVERED, DATED AND SIGNED AT EMBU THIS 21ST DAY OF JUNE 2013.

H.I. ONG'UDI

JUDGE

In the presence of:-

Ms. Ingahizu for State

mr. Mogusu for accused

Accused

Njue CC