



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT MOMBASA**  
**CRIMINAL CASE NO. 29 OF 2009**

REPUBLIC.....PROSECUTION

VERSUS

JAMES KITS AO CHANGAWA.....ACCUSED

**RULING**

The accused **JAMES CHANGAWA KITS AO** faces a charge of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. The accused pleaded ‘*Not Guilty*’ to the charge. The prosecution called a total of eleven (11) witnesses in support of their case. I have carefully considered the evidence on record. I am satisfied that a *prima facie* case has been established. As such I do hereby direct that the accused shall give his defence to the charge.

**Dated this 6<sup>th</sup> day of August, 2013**

**M. ODERO**

**JUDGE**

In the presence of:

Ms. Momanyi for Accused

Ms. Ogweno for state

Court Clerk Mutisya

**Court:**

Hearing to proceed for defence on 9<sup>th</sup> September, 2013.

**M. ODERO**

**JUDGE**