



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL CASE 110 OF 2008

REPUBLIC.....PROSECUTOR

VERSUS

MARY WANJIRU NGURU ACCUSED

RULING

The accused is on trial for the offence of murder. She is alleged to have murdered **MIRIAM NJAMBI KIMANI** on 2nd December 2008, at Makongeni Phase 4, plot Number 182, in Thika township.

Twelve witnesses have testified on behalf of the prosecution.

Having given due consideration to the evidence adduced so far, I find that the deceased met her death due to cardiac failure that was brought about by stab wounds.

She had a stab wound on the left side of her chest, and another stab wound on the left back part of her chest.

The doctor who conducted the post mortem examination on the body of the deceased said that the wounds had been caused by a sharp object, whose size was smaller than a panga.

Secondly, the doctor expressed the considered professional view that the 2 stab wounds were caused by the same object.

PW 1 testified that she saw the accused stab the deceased with a kitchen knife.

The post-mortem examination therefore corroborated the testimony of the alleged eye-witness.

In the circumstances, I find that the prosecution has established a prima facie case against the accused person. I do therefore find that the accused has a case to answer. She is put on her defence.

Dated, Signed and Delivered at Nairobi this 15th day of March, 2012.

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FRED A. OCHIENG

JUDGE