REPUBLIC OF KENYA

IN THE HIGH COURT

AT NAKURU

Criminal Case 102 of 2009

REPUBLIC……..PROSECUTOR

VERSUS

THOMAS KIPKEMOI KORIR……...……ACCUSED

RULING

Having the evidence of the eleven (11) prosecution witness I have formed the opinion that the prosecution has established a prima facie case against the accused. I therefore put the accused to his defence in terms of Section 306(2) of the Criminal Procedure Code (Cap. 75, Laws of Kenya).

I remind the accused of his constitutional and statutory rights -

(1) to give evidence on oath, and be subject to cross-examination, and to call witnesses,

(2) to give an unsworn statement, and be not subject to cross-examination,

(3) to remain silent.

The accused is invited now, and at the commencement of the defence evidence to indicate which of these options he will elect to adopt, or whether, he would make a confession directly to the court.

Dated, delivered and signed at Nakuru this 18th day of May, 2012

M. J. ANYARA EMUKULE
JUDGE