



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL CASE 45 OF 2012

REPUBLIC.....PROSECUTOR

- VERSUS -

1. PATIUS GICHOB I NJAGI.....1ST ACCUSED

2. JOSEPH CHOMBA MWANGI.....2ND ACCUSED

3. CEASER WACHIRA MUTHONI3RD ACCUSED

4. MARY NJERI WACHIRA4TH ACCUSED

RULING

It is not in dispute that the accused persons were arrested three days ago. Considering the nature of the offence, this is indeed a very short time for police to have completed investigations. Some doctors are not available during weekends. The mental assessment reports and the postmortem are yet to be conducted. I agree with the State that the police require more time to conduct investigations.

As for the 4th accused, the records presented to court are attendance records which bear no medical details. A medical report would be required for this court to verify the claim by the defence that the 4th accused has reached full term of her pregnancy and that she is due for an operation. The 4th accused is entitled to treatment as and when need arises but this court requires the doctor's opinion on the subject. For the time being, all the accused persons will be remanded at Muthaiga Police Station to enable the police conduct further investigations. A medical report on the 4th accused should be availed as soon as possible and case mentioned for that purpose.

In case of any emergency, the O.C.S. of Muthaiga police station is hereby instructed to afford the 4th accused treatment which matter must be treated with utmost urgency.

As for the bail application, it shall be made formally at a later date.

Mention on 27th/06/12. All accused persons remanded at Muthaiga Police Station till 27th June, 2012.

F. N. MUCHEMI

JUDGE