



**REPUBLIC OF KENYA**

**IN THE HIGH OF KENYA AT MOMBASA**

**Criminal Case 40 of 2009**

**REPUBLIC ..... PROSECUTION**

**=VERSUS=**

**CHARO KAZUNGU SALIMU ..... 1<sup>ST</sup> ACCUSED**

**CHANGAWA KARISA KAZUNGU ..... 2<sup>ND</sup> ACCUSED**

**RULING**

The two accused persons namely **CHARO KAZUNGU SALIMU** (hereinafter referred to as the 1<sup>st</sup> accused) and **CHANGAWA KARISA KAZUNGU** (hereinafter referred to as the 2<sup>nd</sup> Defendant) have jointly been charged with the offence of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. The prosecution led by the learned State Counsel called a total of eight (8) witnesses in support of their case. Having carefully considered the evidence adduced by the prosecution witnesses I am satisfied that a prima facie case has been established. I therefore direct that both accuseds shall give their defence to this charge.

**Dated and Delivered in Mombasa this 18<sup>th</sup> day of September 2012.**

**M. ODERO**  
**JUDGE**

In the presence of:

Mr. Nyange for Accused

Mr. Tanui for State