

REPUBLIC OF KENYA

IN THE HIGH OF KENYA AT MOMBASA

Criminal Case 22 of 2012

REPUBLIC PROSECUTION

=VERSUS=

SALIM ABDALLAH MACHIMBOJA ACCUSED

RULING

The accused **SALIM ABDALLAH MACHIMBOJA** has been charged with the offence of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. He entered a plea of '**Not guilty**' to the charge. The prosecution led by **MR. TANUI** learned State Counsel called a total of ten (10) witnesses in support of their case. **MR. OKAALO** Advocate appeared for the accused. I have carefully considered the evidence adduced by the prosecution witnesses. In my opinion a prima facie case has been made out. I therefore direct that the accused shall give his defence to this charge in compliance with Section 306(2) of the criminal Procedure Code.

Dated and Delivered in Mombasa this 14th day of September 2012.

M. ODERO
JUDGE

In the presence of:

Ms. Fwaya holding brief for Mr. Okaalo for Accused

Mr. Gioche for the State