

REPUBLIC OF KENYA

High Court at Nyeri

Criminal Case 13 of 2008

LAWRENCE MAINA IRUNGU.....ACCUSED

-versus-

REPUBLIC.....PROSECUTOR

RULING ON SENTENCE

On 6th July 2012, Lawrence Maina Irungu was convicted for the offence of Murder. This court invited the accused and his Learned Counsel to make submissions in mitigation before pronouncing the order on Sentence.

Miss Ngalyuka, Learned Senior State Counsel informed this court that the accused was a first offender. Mr. Mwangi, Learned Advocate for the Accused stated that the Accused Person is remorseful hence this court should be lenient. I have considered all the mitigating factors surrounding this case. In the offence of **Murder**, the law provides a mandatory **Death Sentence**. However, there are instances when the death sentence cannot be imposed i.e. First, if it is shown that the convict was insane, then he will be held in custody at the pleasure of the President. Secondly, where the convict is a child a death sentence will not be pronounced. Thirdly, if the convict is a pregnant woman, she will not be sentenced to death. This case does not fall within any of the exceptions hence the court has no option but to pronounce the Death Sentence.

In the end, I sentence the accused to **Suffer Death** in the manner prescribed by law.

Dated and delivered this 18th day of October 2012.

.....

J. K. SERGON

JUDGE