



**REPUBLIC OF KENYA**

**High Court at Machakos**

**Criminal Case 62 of 2011**

**REPUBLIC**

**VERSUS**

**PETER MUTHOKA MULA ..... ACCUSED**

**SENTENCE**

I have considered the facts, the probation report and mitigation. The deceased was the wife of the accused. She appears to have provoked the incident which resulted in her death. She hit the accused with a metal bar. Then she advanced for a machete in an attempt to cut the accused. The accused used the metal bar to hit the deceased on the head. The probation report recommends a probation sentence. The accused has been in custody for more than one year.

In my view, considering the circumstances of the case, the accused deserves leniency. However, he used a lot of force and hit the deceased on the head after disarming her. I sentence the accused to serve one (1) year imprisonment. He may appeal within 14 days.

Dated at Machakos this 15<sup>th</sup> day of **November** 2012.

**George Dulu**  
**Judge**

**In presence of:-**

N/A for State

Ms. Amala holding brief for M Kimeu for accused

Mutinda – Court clerk