

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT KISII
CRIMINAL CASE NO. 31 OF 2009

REPUBLIC.....PROSECUTOR

-VERSUS-

PAUL OLANG OLOO.....ACCUSED

RULING

From the evidence so far adduced by the prosecution, I am satisfied that a prima facie case has been established to warrant the accused being called upon to defend himself of the information. Accordingly I now place the accused on his defence and remind him that he has three options in defending himself. He can choose to make a sworn or unsworn statement of defence. Thirdly, he may elect to keep quite. In the event that he makes a sworn statement he will be liable to cross-examination by the state counsel. That will however, not be the case in the event that he makes unsworn statement or elects to keep quite. In each case though, he is entitled to summon witnesses.

Ruling dated, signed and delivered at Kisii this 4th day of May, 2011.

ASIKE-MAKHANDIA

JUDGE