

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT KISII
CRIMINAL CASE NO. 54 OF 2009

REPUBLIC.....PROSECUTOR

-VERSUS-

MOHAMMED ABDALLA VINCENT..... ACCUSED

RULING

Having considered and evaluated the evidence so far adduced by the prosecution in this case, I am satisfied that a prima facie case has been established to warrant the accused being put on his defence. Accordingly I so rule. The accused is reminded that he has three ways in which to advance his defence. He can give sworn or unsworn statement of defence. He may also elect to keep silent. In the event that he elects to give a sworn statement of defence, he will be liable to cross-examination by the state counsel. That will however not happen if he elects to give unsworn statement or to keep quite. In all the cases though, he is entitled to call witnesses.

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

ASIKE-MAKHANDIA

JUDGE