

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

CRIMINAL CASE NO. 97 OF 2005

REPUBLIC.....

.....PROSECUTOR

VERSUS

ANTHONY KINUTHIA WANJIKU.....1ST

ACCUSED

GREGORY MWANGI MUNGAI.....2ND

ACCUSED

ISMAEL ONOMO.....3RD

ACCUSED

RULING

Having perused and collated the evidence, I am of the view that the prosecution has established a **prima facie**.

In terms of Section 306(2) of the Criminal Procedure Code, (*Cap. 75, Laws of Kenya*) the accused are each reminded of their respective rights to give evidence on oath and be subjected to cross-examination, and to call witnesses to testify on their behalf, to give an unsworn statement, and be not subject to cross-examination or to remain silent.

Counsel for the accused is called upon to indicate which of these right the accused or each of them would exercise.

It is so directed.

Dated, signed and delivered at Nakuru this 10th day of June 2011

M. J. ANYARA EMUKULE
JUDGE