

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAKURU
CRIMINAL CASE NO. 15 OF 2006

REPUBLIC.....PROSECUTOR

VERSUS

JULIUS NGETHE NJUGUNA.....ACCUSED

RULING

I have now had an opportunity to review the evidence adduced by the prosecution. I am satisfied that the prosecution has established a **prima facie** case against the accused, and I accordingly put the accused to his defence.

In accordance with the requirements of Section 306(2) of the Criminal Procedure Code, (*Cap. 75, Laws of Kenya*) the accused is reminded of his statutory rights -

- (1) *to give evidence on oath and to call witnesses to testify on his behalf. If he elects to give sworn testimony, he will be liable to cross-examination, or*
(2) *to give an unsworn statement and escape cross-examination, or*
(3) *to remain silent.*

The accused is asked through his Advocate on record to State which of these rights he will exercise.

Dated, delivered and signed at Nakuru this 1st day of July 2011

M. J. ANYARA EMUKULE
JUDGE