

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
CRIMINAL CASE NO. 23 OF 2009

REPUBLIC.....PROSECUTION

=VERSUS=

**ALI SALIM AWADH alias ALI HASSAN
MAJID.....ACCUSED**

RULING

The accused **ALI SALIM AWADH alias ALI HASSAN MAJID** has been charged with the offence of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 of the PENAL CODE**. The accused pleaded '**not guilty**' to the charge. The prosecution led by **MR. ONSERIO** learned State Counsel called a total of fourteen (14) witnesses in support of their case. **MR. ODHIAMBO** Advocate acted for the accused in the matter.

I have considered the evidence adduced by the prosecution witnesses, I am satisfied that a prima facie case has been established against the accused. As such I rule that the accused will give his defence to the charge in accordance with Section 306(2) of the Criminal Procedure Code.

Dated and Delivered in Mombasa this 16th day of December 2011.

M. ODERO
JUDGE

In the presence of:
Mr. Obara holding brief for Mr. Odhiambo
Mr. Onserio for State