

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAKURU

Criminal Case 24 of 2010

REPUBLIC.....PROSECUTOR

VERSUS

A.W.N.....SUBJECT

JUDGMENT

The Subject herein was charged with the offence of manslaughter contrary to Section 202 as read with Section 205 of the Penal Code.

The Subject pleaded guilty to the charge, and was convicted on her own plea of guilty, and the court ordered for a Probation Officer's Report.

The report Ref. Court File No. 90/2010 filed in court on 27th July 2010 recommends that the subject be placed under probation.

The punishment for the offence of manslaughter is imprisonment for life. The Subject is a 17 year old girl, suffering from extreme emotional stress due to rejection by her parents and a male companion of a husband who is addicted to the use of psychotropic substances, namely bhang, cannabis sativa.

Section 191 of the Children Act Prohibits the court from sentencing her to a term of imprisonment. In the circumstances, I direct the subject be placed under the care of a Probation Officer in a Probation Facility for a period of at least 3 years.

There shall be orders accordingly.

Signed, dated and delivered this 28th day of July 2010

M. J. ANYARA EMUKULE

JUDGE