

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
CRIMINAL CASE NO. 17 OF 2006

REPUBLIC PROSECUTION

VERSUS

ERNEST SAKWA KWEYU Alias YAWA ACCUSED

RULING

The accused herein **ERNEST SAKWA KWEYU alias YAWA** faces a charge of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. Having entered a plea of **'not guilty'** to the charge, his trial commenced on 26th November 2008 at which trial the State called a total of seven (7) witnesses in support of their case. Learned counsel **MR. OBARA** appeared for the accused. I have given careful consideration to the evidence adduced by these seven (7) prosecution witnesses. In my view a prima facie case has been established against the accused. As such I do direct that he gives his defence to the charge pursuant to S. 306(2) of the Criminal Procedure Code.

Dated and Delivered in Mombasa this 16th day of December 2010.

M. ODERO

JUDGE

Read in open court in the presence of:-

Mr. Wameyo holding brief for Mr. Obara

Mr. Onserio for State

M. ODERO

JUDGE

16/12/2010