

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
CRIMINAL CASE NO. 2 OF 2010

REPUBLIC.....PROSECUTION

VERSUS

HAMISI KAZUNGU
MAKUTI.....ACCUSED

RULING

The accused **HAMISI KAZUNGU MAKUTI** has been charged with the offence of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. The particulars of the charge allege that the accused murdered one **KOMBE YERI KOMBE**. The State led by **MR. ONSERIO**, learned State Counsel called a total of ten (10) witnesses in support of their case. I have carefully considered the evidence tendered by these prosecution witnesses. I find that the prosecution have established a prima facie case. I rule that the accused will be placed on his defence in accordance with 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:-

Ms. Ngige for Accused

Mr. Onserio for State

M. ODERO

JUDGE

16/12/2010