

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MACHAKOS
Murder Case 5 of 2006b

REPUBLIC PROSECUTOR

VERSUS

NZUMBI NGANATHA.....ACCUSED

14.6.06

Coram

D.A. Onyancha,J

Advocate for accused – Mutua

Principal State Counsel for Republic- O’mirera

CC-Mueni

SENTENCE

The accused hit his wife with a small stick once after both were drunk and quarrelled. The evidence is that she died after the hit. Accused believed that death came from too much drinking. When a post-mortem was conducted a month later, the doctor could not find the cause of death as the body was in the advanced stage of decomposition. The accused is remorseful for having killed his wife and prays for leniency. He has been in remand for 16 months. He has 4 young children who need to be looked after. The court has considered the case and the mitigation and noting that the accused has been in remand for 16 months, feels that that is sufficient punishment in the circumstances of this particular case. The accused shall accordingly serve in jail for one (1) day. It is so ordered.

D.A. ONYANCHA

JUDGE

14/6/06