



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NYERI**

**Criminal Case 33 of 2003**

**REPUBLIC.....PROSECUTOR**

**Versus**

**PETER MWANGI MUREGWA.....ACCUSED**

**RULING**

The prosecution's case having been closed at this stage, clearly there is no sufficient evidence to require the Accused person be called upon to defend himself. No police officer has given evidence in this case leaving the court wondering how and why the Accused person was brought to this court charged with murder and whether the person who is being prosecuted is fit and able to stand and follow this trial – containing a good share of inconsistent evidence.

In the circumstances I do not find the Accused person guilty and do hereby acquit him.

He be released forthwith unless lawfully detained in some other cause.

Assessors in this matter as well as Civilian witnesses who have given evidence be paid their respective allowances including David Mukoma and Anne Florence Wanjira who had turned up to be assessors but were not selected to-day.

**Dated this 2<sup>nd</sup> day of March 2005.**

**J. M. KHAMONI**

**JUDGE**