



REPUBLIC OF KENYA



Republic v Moturi (Criminal Case 39 of 2017) [2025] KEHC 3092 (KLR) (5 March 2025) (Ruling)

Neutral citation: [2025] KEHC 3092 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE 39 OF 2017**

HI ONG'UDI, J

MARCH 5, 2025

BETWEEN

REPUBLIC PROSECUTOR

AND

ISAIAH OGORO MOTURI ACCUSED

RULING

1. Isaiah Ogoro Moturi the accused herein faces a charge of murder contrary to section 203 as read with section 204 of the *Penal Code*. The particulars are that on 12th September 2017 at Mawanga Estate, KITI in Nakuru East Sub County within Nakuru County murdered FANNIS GESARE MANG'ERA. He denied the charge and the case proceeded to full hearing with the prosecution calling six (6) witnesses.
2. The post mortem report produced by Dr. Titus Ngulungu as EXB 1 showed the cause of death as pulmonary chrombo embeli with lung collapse in a body at Term gestation and bruises on the upper limbs due to blunt trauma. It was therefore not a natural death.
3. PW1, PW2 and PW5 have also given evidence stating what they know about the case. The deceased sustained the injuries leading to her death while in a stated house.
4. I have considered all the evidence plus the submissions by both the prosecution and defence. I have equally considered the requirements for proof of a prima facie case.
5. I am satisfied that the prosecution has made out a case against the accused, who I hereby place on his defence under section 306(2) of the *Criminal Procedure Code*.
6. Orders accordingly.

DELIVERED VIRTUALLY, DATED AND SIGNED THIS 5TH DAY OF MARCH, 2025 IN OPEN COURT AT NAKURU.



H. I. ONG'UDI
JUDGE

