



**Republic v TK alias T (Criminal Case E036 of 2024)
[2025] KEHC 4674 (KLR) (10 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4674 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
CRIMINAL CASE E036 OF 2024
REA OUGO, J
APRIL 10, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

TK ALIAS T SUBJECT

RULING

1. T K alias T unlawfully caused the death of Sammy Kipsang. He pleaded guilty to the offence of manslaughter and was convicted. I sought a pre-sentence report on him.
2. T K alias T is a first offender and is 17 years old. The pre-sentence report indicates that the offender regrets his acts and appreciates the need to control his temper. His family is ready to participate in the subject’s rehabilitation process and has promised to support him. According to the victim’s family, they were psychologically and emotionally affected. They have been compensated.
3. The report indicates that the offender’s behavior was attributed to poor decision making associated with adolescence, which is accompanied by rash decisions. That he is remorseful for his actions and has learnt the need to control his anger and avoid negative peer influence. A non-custodial sentence is recommended. Probation sentence for 3 years.
4. The offender’s unwanted anger caused him to cause the death of the deceased. When the offender was first brought to court on the 19/8/2024, he was said to be 16 years old. The pre-sentence report dated 26.3.2025 indicates he is 17 years old. His age assessment report as at 6.8.2024 indicates his estimated age is 17 years old.
5. Considering the facts of this case, the Judiciary Guidelines on Sentencing and provisions of Section 239 (1) of the *Children’s Act*, which empowers this court to exercise several options and provides methods of dealing with children in conflict with the law, I hereby sentence the offender to a non-custodial sentence. He is placed on probation under the supervision of the Probation Officer for three (3) years



on condition that he attends institutional counselling and rehabilitation programmes designed and facilitated by the probation officer. Should the offender commit another offence during the period of probation, the probation officer shall report the matter to the court when upon the court may enhance or alter the offender's sentence.

DATED , SIGNED, AND DELIVERED AT BUNGOMA ON THIS 10TH DAY OF APRIL 2025.

R.E OUGO

JUDGE

In the presence of:

Titus Kiprotich Alias Taito / Offender

Miss Chungu for the Offender - Absent

Miss Matere - For the State

Wilkister - C/A

