



**Republic v Chirima (Criminal Case E022 of 2020)
[2024] KEHC 4373 (KLR) (18 January 2024) (Sentence)**

Neutral citation: [2024] KEHC 4373 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL CASE E022 OF 2020**

**A. ONG'INJO, J
JANUARY 18, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

HAMISI DZILA CHIRIMA ACCUSED

SENTENCE

1. The accused was found guilty of the murder of Matari Ngome Mutuku and was convicted by this Court on 5th October 2023. This court called for Pre-Sentence Report & Victim Impact Statement which were duly filed on 13th December 2023.
2. This court has considered the accused person's mitigation particularly that he is a young man of only 33 years and that he is a 1st Offender. This court has also considered the sentiments in the pre-sentence report and the Victim Impact Statement but murder is such a serious offence. The life of the deceased was cut short for no apparent reason. The accused and others not before court at large lured the deceased to scene where they used heavy stones to crush him on the chest and teeth respectively.
3. The deceased person's family deserve reparation whether or not this court exercises leniency. This court must pass punishment that mirrors its abhorrence to the reckless actions of the accused and his accomplices.
4. In the circumstances the accused is sentenced to serve 20 years imprisonment. The sentence to factor in period spent in remand custody from 29th December 2020 to 6th May 2021 when accused was released on bond i.e. 5 months & 7 days. Sentence is 19 years, 6 months and 23 days.
5. Right of Appeal – 14 days explained.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,
THIS 18TH DAY OF JANUARY 2024**



HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of: -

Etropia- Court Assistant

Mr. Ngiri for the State

Accused present in person

Ms. Lozi Advocate for accused – present virtually

HON. LADY JUSTICE A. ONG'INJO

JUDGE

