



**Republic v Folleni & another (Criminal Case 02 of 2017)
[2024] KEHC 187 (KLR) (16 January 2024) (Sentence)**

Neutral citation: [2024] KEHC 187 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL CASE 02 OF 2017
A. ONG'INJO, J
JANUARY 16, 2024**

BETWEEN

REPUBLIC PROSECUTOR

AND

GEORGE FOLLENI 1ST ACCUSED

FRANCIS CHARO FOLLENI 2ND ACCUSED

SENTENCE

1. George Folleni and Francis Charo Kalama were charged with the offence of murder. The murder was committed on July 21, 2012 and whereas other suspects were apprehended and charged in CR. Case No. 4 of 2012 the accused commits herein were at large until on January 1, 2017 when they re-surfaced and were arrested. They were therefore incarcerated since the date of their arrest to date.
2. I have considered the respective pre-sentence report and the victim impact statement as well as the sentence passed in High Court CR. Case No. 40 of 2012 and attendant appeals in Court of Appeal CR. A. Nos. 3, 4, 5, 6, 7, 9 and 10 of 2016 as well as the accused person's mitigation and find that just punishment that will act as deterrence and rehabilitate the accused persons for the heinous crime they committed is 20 years imprisonment.
3. The sentence to take effect from January 18, 2017 when they were arraigned in court.

DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 16TH DAY OF JANUARY 2024.

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:-

Accused 1 – Present in person



Accused 2 – Present in person

Mr. Ngiri for State

Ms. Odhiang Advocate for Accused 1 - No appearance

Mr. Oduor Advocate for Accused 2 - No appearance

ORDER

Sentence at 11.00am. Registry to call the advocates.

HON. LADY JUSTICE A. ONG'INJO

JUDGE

Ruling on sentencing delivered, dated and signed in Open Court.

HON. LADY JUSTICE A. ONG'INJO J

