



**Republic v Jabiri (Criminal Case E032 of 2021)  
[2024] KEHC 1113 (KLR) (8 February 2024) (Ruling)**

Neutral citation: [2024] KEHC 1113 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
CRIMINAL CASE E032 OF 2021**

**A. ONG'INJO, J**

**FEBRUARY 8, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**CHAI JABIRI ..... ACCUSED**

**RULING**

1. The accused Chai Jabiri faces a charge of murder contrary to Section 203 as read together with Section 204 of the Penal Code Cap 63 Laws of Kenya.
2. Particulars of the offence are that Chai Jabiri on the 9<sup>th</sup> day of October 2021 at Radiant Apartments at Cool View Area, within Mtwapa Township, within Kilifi County murdered Maurice Tembo.
3. The prosecution called 8 witnesses to support its case. Counsel for the accused person filed submissions on no case to answer. In consideration of the evidence of the 8 prosecution witnesses and submissions by defence, this court finds that a prima facie case has been established to place the accused on his defence. He has a case to answer.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,  
THIS 8<sup>TH</sup> DAY OF FEBRUARY 2024**

**HON. LADY JUSTICE A. ONG'INJO**

**JUDGE**

In the presence of: -

Ogwel- Court Assistant

Mr. Ngiri for the State

Ms. Kuria Advocate for the Accused



Accused present in person

**HON. LADY JUSTICE A. ONG'INJO**

**JUDGE**

Ms. Kuria Advocate: Accused person has requested that he be allowed to enter into plea bargain.

Order: Mention on 26.2.2024 to fix date for hearing.

**HON. LADY JUSTICE A. ONG'INJO**

**JUDGE**

