



**Republic v Kwira (Criminal Case E003 of 2023)
[2024] KEHC 3137 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3137 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL CASE E003 OF 2023**

A. ONG'INJO, J

MARCH 14, 2024

BETWEEN

REPUBLIC PROSECUTOR

AND

HENRY THUKU KWIRA ACCUSED

RULING

1. The accused person Henry Thuku Kwirafaces a charge of murder contrary to Section 203 as read with Section 204 of the [Penal Code](#) Cap 63 of the Laws of Kenya.
2. The particulars are that Henry Thuku Kwiraon 6th day of January 2023 at Mtongwe Location, Likoni Sub County within Mombasa County murdered Esnas Ipale Imwana.
3. The prosecution called 14 witnesses to support its case that the accused person committed the offence herein and the matter was reserved for ruling.
4. From the evidence of the 14 prosecution witnesses, this court finds that the prosecution established a prima facie case sufficient to call upon the accused person to defend himself. He has a case to answer.

DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,

THIS 14TH DAY OF MARCH 2024

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of: -

Etropia- Court Assistant

Mr. Ngiri for the State



Mr. Weloba Advocate for the Accused Person

Accused present in person

HON. LADY JUSTICE A. ONG'INJO

JUDGE

Court: Accused person informed that he can elect to defend himself by sworn statement, unsworn statement or not to say anything.

Mr. Weloba Advocate: I pray for defence hearing date when accused will elect how to defend himself.

Order: Defence hearing on 26.6.2024

HON. LADY JUSTICE A. ONG'INJO

JUDGE

14.3.2024

