



**Republic v Chidzao & another (Criminal Case 7 of 2020)  
[2024] KEHC 5870 (KLR) (23 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 5870 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
CRIMINAL CASE 7 OF 2020**

**A. ONG'INJO, J  
MAY 23, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**RAMATHAN TSUMA NYIRO CHIDZAO ..... 1<sup>ST</sup> ACCUSED**

**KACHE CHANGAWA CHENGO ..... 2<sup>ND</sup> ACCUSED**

**RULING**

1. The accused persons Ramathan Tsuma Nyiro Chidzao and Kache Changawa Chengo face 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 Ramathan Tsuma Nyiro Chidzao and Kache Changawa Chengo on the night of 6<sup>th</sup> July 2018 at Zukurukani Villlage at Kilibasi Sub-Location within Kwale County jointly murdered Saumu Kokoi Nyae.
3. The prosecution called 6 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 6 prosecution witnesses, this court finds that the prosecution established a *prima facie* case sufficient to call upon the accused persons to defend themselves. They have a case to answer.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,  
THIS 23<sup>RD</sup> DAY OF MAY 2024.**

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

**JUDGE**



In the presence of: -

Etropia- Court Assistant

Mr. Ngiri for the State

Mr. Omuya H/B for Mrs. Makuto Advocate for 1<sup>st</sup> Accused Person

Mr. Omuya Advocate for 2<sup>nd</sup> Accused Person

1<sup>st</sup> Accused present in person

2<sup>nd</sup> Accused present in person

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

**JUDGE**

Mr. Omuya: 2<sup>nd</sup> Accused will give sworn evidence. He can take a date for defence hearing.

Order: Defence hearing on 17.6.2024. Notice to Mrs. Makuto Advocate for the 1<sup>st</sup> Accused.

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

**JUDGE**

**23.5.2024**

