



REPUBLIC OF KENYA



**Republic v Madegwa (Criminal Case 50 of 2015)
[2023] KEHC 1481 (KLR) (2 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 1481 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE 50 OF 2015**

**PJO OTIENO, J
MARCH 2, 2023**

BETWEEN

REPUBLIC PROSECUTOR

AND

AGGREY MAKATIANI MADEGWA ACCUSED

RULING

1. Having studied and perused the totality of the evidence adduced by the prosecution's seven (7) witnesses, I do find that there is rebuttable position established by the prosecution that the accused was present at the scene where the deceased suffered the very grave injuries that led to her death.
2. For that the accused has a case to answer and he is therefore placed on his defence.
3. Defence hearing on May 10, 2023

DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 2ND DAY OF MARCH 2023.

PATRICK J. O. OTIENO

JUDGE

In the presence of:

Khayumbi for the Accused

Ms. Chala for the Prosecution

Court Assistant: Polycap Mukabwa

