



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Wanjiru (Criminal Case 17 of 2019)
[2023] KEHC 17256 (KLR) (11 May 2023) (Judgment)**

Neutral citation: [2023] KEHC 17256 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERUGOYA
CRIMINAL CASE 17 OF 2019
RM MWONGO, J
MAY 11, 2023**

BETWEEN

REPUBLIC PROSECUTION

AND

CHRISTINE WANGUI WANJIRU ACCUSED

JUDGMENT

1. Charge: Murder Contrary to Section 203 as read with Section 204 [PC](#).
Plea: First entered plea on August 15, 2019.
PBA: Signed by Parties Adopted by Court on March 6, 2023.
Conviction: Manslaughter Contray to section 205 [PC](#), liable for life Imprisonment.
DPP Mitigation: First offender yes or no Yes.
DPP recommends 20 years imprisonment.
Accused seeks 3 years probation.
Facts: As per PBA a clear/legible post mprtem report to be filled as the one on the file is unclear.
Accused and Deceased were living as husband/wife
July 20, 2019 Deceased visited wife. They fought. Deceased picked a knife. She overpowered him and stabbed him. He succumbed to injuries.
Post Mortem: Cause of death shock (hemorrhage) following injuries.
Post Mortem dated July 29, 2019 Medical Superintendent Kerugoya County Referral Hospital.
POR: Recommends this as a suitable case for non-custodial sentence;
Dated: April 5, 2022 with Guidance and Counselling on Anger Management.



Filed: February 14, 2022

Accused mitigation: Through Counsel accused is remorseful; Aged 26, first born. Has 2 children ages 9, 12; Has 3 brothers who are young and have no parents. She has reformed; she acted in self defence.

Embu Women's Prison Report dated July 29, 2022 is on file.

She has served 3 years imprisonment. Trained in dress making; knitting. She is disciplined and of good character. She co-exists peacefully with others.

Sentence: This is an appropriate case in which the maximum sentence need not apply.

1. In addition to the 3 years imprisonment already served, the accused is sentenced to 3 years non-custodial sentence with immediate effect.
2. In addition, during that period the Accused:
 - a. Shall be engaged in Community Service in a programme designed and facilitated by the Probation Officer in a Public facility/office.
 - b. Shall be enrolled and engaged in a Guidance and Counselling programme, including Anger Management; designed or facilitated by the Probation Officer.

Orders accordingly.

DATED AND SIGNED THIS 11TH MAY, 2023.

R. MWONGO

JUDGE

Delivered in the presence of:

State Counsel - Mamba.

Makazi - for Accused.

Accused - Present in Court.

Murage - Court Assistant.

