



**Director of Public Prosecution v M'Munya (Criminal Case  
17 of 1999) [2023] KEHC 20628 (KLR) (20 July 2023) (Sentence)**

Neutral citation: [2023] KEHC 20628 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MERU  
CRIMINAL CASE 17 OF 1999  
TW CHERERE, J  
JULY 20, 2023**

**BETWEEN**

**DIRECTOR OF PUBLIC PROSECUTION ..... PROSECUTION**

**AND**

**ISAACK M'MARU M'MUNYA ..... ACCUSED**

**SENTENCE**

1. Isaack M'Maru M'Munya (Accused) was arrested on August 7, 1998 and was on September 7, 1998 arraigned for the offence of murder contrary to section 203 as read with Section 204 of the [Penal Code](#).
2. By a judgment in delivered on February 13, 2007, Petitioner was found guilty but insane and the court under the powers donated by Section 166 (2) of the [Criminal Procedure Code](#) directed that he be held at the President's Pleasure.
3. By an order dated March 30, 2023, this court after having satisfied itself that Accused was mentally stable directed that the matter proceeds for sentence. A presentence report dated July 12, 2023 recommends a non-custodial sentence.
  1. Accused has undertaken various causes as a sign of reformation and will be in a position to easily integrate with the community once released.
  2. Accused has been in custody since 1998 which is period of 25 years and I have no doubt that it is sufficient for his reformation
  3. Consequently, Accused is sentenced to 25 years which he has already served. Accused shall therefore be set at liberty unless otherwise lawfully held.

**DELIVERED AT MERU THIS 20<sup>TH</sup> DAY OF JULY 2023**

**WAMAE. T. W. CHERERE**



## **JUDGE**

Appearances

Court Assistant - Mr. Kinoti

Accused - Present

For Accused - Mr. Ngéntu

For the State - Ms. Rita (PC-1)

