



**Republic v Kariuki (Criminal Case 9 of 2020) [2023] KEHC 20043 (KLR) (17 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20043 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAHURURU  
CRIMINAL CASE 9 OF 2020  
CM KARIUKI, J  
JULY 17, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**PAUL MAINA KARIUKI ..... ACCUSED**

**RULING**

1. The Accused has been convicted of Manslaughter after the offense of Murder was reduced to the same lesser offense after a full trial. The matter is for sentence.
2. Thus, Court has to make an appropriate sentence in the case's circumstance.
3. The Accused is said to be a first offender, as Prosecution has no previous record.
4. On mitigation, the Defence states that the Accused has been in custody since May 2020, over three (3) years.
5. He has a young family composed of a wife and school-going children.
6. He is repentant and remorseful and narrated how he defended himself after intruders' invasion in his compound, thus occasioning fatal injuries for one of them.
7. He prays for leniency and especially a non-custodial sentence.
8. The Post-Conviction Report was filed and dated 20/6/2023 and recommends a non-custodial sentence.
9. I have gone through the mitigations and considered all circumstances of the case and the Post Conviction Report (PCR) and thus make the following orders;
  1. The Accused shall serve a Probation Sentence for twelve (12) months as he has already been in custody for over three (3) years.



DATED, SIGNED, AND DELIVERED AT NYAHURURU ON THIS 17<sup>TH</sup> DAY OF JULY 2023.

.....

**CHARLES KARIUKI**

**JUDGE**

