



**Republic v Gati alias Mutechu (Criminal Case E011 of 2021)  
[2024] KEHC 14928 (KLR) (7 November 2024) (Sentence)**

Neutral citation: [2024] KEHC 14928 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MIGORI  
CRIMINAL CASE E011 OF 2021  
A. ONG'INJO, J  
NOVEMBER 7, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**JAMES NYAKERARI GATI ALIAS MUTECHU ..... ACCUSED**

**SENTENCE**

1. The Accused herein James Nyakerari Gati alias Mutechu was convicted for the offence of murder contrary to Section 203 as read with Section 204 of the [Penal Code](#).
2. The particulars are that the accused on 26th day of July 2021 at Taragai village, Kuria East Sub – County within Migori County murdered Lucas Mahenye Chacha.
3. Upon conviction the court called for a pre – sentence Report dated 16.10.2024 was filed on even date. This court has considered the circumstances of the offence; the mitigation by the accused person and the unfavourable pre-sentence report and find that the accused deserve to be punished for the heinous crime committed where the sacrosanct life of the deceased was lost prematurely.
4. The punishment commensurate with the offence committed is 20 years jail term to take effect from 13th August 2021. Right of Appeal 14 days is explained.

**DELIVERED DATED AND ASSIGNED AT MIGORI THIS 7<sup>TH</sup> DAY OF NOVEMBER, 2024.**

**A. ONG'INJO**

**JUDGE**

In the presence of:

Victor / Lola – Court Assistants

Ms. Ikol – Prosecuting Counsel



Mr. Omwenga Advocate for Accused

Accused present in person

Mr. Omwenga Advocate

I pray for certified copy of Judgment

Orders: Mr. Omwenga Advocate discharged from acting / Representing the convict. Copies of Judgment and proceedings (certified) to be supplied to the defence counsel (Accused) and Respondent counsel.

