

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

CRIMINAL CASE NO. 29 OF 2018

REPUBLICPROSECUTOR

VERSUS

ISAAC MWITI PETER..... ACCUSED

SENTENCE

1. There was a plea agreement dated 21/11/2019 and filed in court on 10/3/2020 which agreement come before court for adoption and upon adoption a plea of guilt was entered against the accused for the offence of manslaughter.
2. Pursuant to that plea of guilty having been entered, the court directed that a pre-sentencing report be filed by the probation officer prior to mitigation and sentencing.
3. The pre-sentence report was filed on 11/6/2021 but dated 23/11/2020. My reading of the report reveal that the accused acquired for himself the attribute of uncontrollable temperament violence and was suspected to have killed his own father before killing his own wife and thus considers him unfit for a non-custodial sentence.
4. I have taken that report and the mitigation offered by Mr. Nyinyire advocate, on his behalf, into account. I have also given regard to the fact that he was the sole bread winner of a young family, but turned a tormentor and that the accused's children have since dropped out of school owing to the absence of both parents.
5. In those circumstances, being aware of the objectives of sentencing in Criminal justice system and being cognizant of the gravity of the offence for which the accused has been convicted, I do impose a prison sentence of **20 years** to commence from the date he was arrested.

Dated, signed and delivered at Meru virtually by Ms teams this 18th day of June, 2021

Patrick J O Otieno

Judge