



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL CASE NO. 16 OF 2015

REPUBLIC.....PROSECUTOR

~VS~

MWATELA NGUNI.....ACCUSED

RULING

1. The accused Mwatela Nguni was charged with the offence of Murder Contrary to Section 203 as read with Section 204 of the Penal Code.
2. The particulars are that Mwatela Nguni on the night of 21st and 22nd of February 2015 at Vinyunduni village in Kinango Sub-County, within Kwale County jointly with others not before court murdered SAWA SAWA MWATELA.
3. The prosecution called 7 witnesses in support of the charge against the accused. From the said evidence particular of the evidence of PW 2 and PW 3 this court finds that a prima facie case has been established for the offence of murder against the accused person. He has a case to answer and is placed on his defence.

DATED, SIGNED AND DELIVERED AT MOMBASA IN OPEN COURT/ONLINE BY MS TEAMS, THIS 15TH DAY OF JULY 2021

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:-

Ogwel - Court Assistant

Respondent - Ms. Karanja for state

Accused – Present in person

Ms. Kitoo Advocate for accused

Hon. Lady Justice A. Ong'injo J

15/07/2021

Ms. Kitoo

Mentioned to give sworn evidence.

Court

Order – Defence hearing 16/09/2021

Hon. Lady Justice A. Ong’ino J

15/07/2021