



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL CASE NO. 38 OF 2017

REPUBLIC.....PROSECUTOR

-V/S-

SAMUEL MALAVA MUKOYANI alias NYANGUMI.....ACCUSED

RULING

1. The accused person Samuel Malava Mukoyani alias Nyangumi is charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code Cap 63 Laws of Kenya.
2. The particulars are that on the 30th day of August 2017 at Shauri Yako Village in Kisauni Sub-county within Mombasa County murdered Salome Kathambi alia Redempta Kanana. The prosecution called 6 witnesses to support its case that the accused person committed the offence herein. Defence did not file submissions for no case to answer and the matter was reserved or ruling.
3. From the evidence of the six witnesses, this court finds that the prosecution established a prima facie case sufficient to call upon the accused person to defend himself. He has a case to answer.

DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS, THIS 9TH DAY OF DECEMBER 2021

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:-

Turuki- Court Assistant

Mr. Mulamula for the State

Mr. Mabil for the Accused – No appearance

Hon. Lady Justice A. Ong'injo

Judge

Order: Defence Hearing 4.2.2022

Notice to Mr. Nabil Advocate

Hon. Lady Justice A. Ong'injo

Judge