



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

CRIMINAL DIVISION

HIGH COURT CRIMINAL CASE NO. 3 OF 2019

REPUBLIC.....PROSECUTOR

VERSUS

JUDY AOKO OTHWELE.....1ST ACCUSED

DIANAH ADHIAMBO ONYANGO.....2ND ACCUSED

SENTENCE

The convicts were initially charged with the murder of the deceased who was a son of the 1st accused and a brother of the 2nd accused.

The charges were then through plea bargaining agreement reduced to manslaughter to which they pleaded guilty and were duly convicted.

I called for pre-sentencing report on both accused persons which has recommended for a non-custodial sentence for purposes of rehabilitation, reintegration and resettlement.

The fact that the accused persons were responsible for the death of their close kin, a fact which they will live with for the rest of their lives is punitive enough. One of the objectives of sentencing is rehabilitation to enable the offender reform from criminal disposition which I am of the considered view will be achieved herein.

I therefore sentence both accused persons to a probation period of three (3) years during which they shall be rehabilitated and counseled to enable them be good citizens of the Republic of Kenya and it is ordered.

Dated, Signed and Delivered at Nairobi this 21st day of January, 2020.

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J. WAKIAGA

JUDGE

In the presence

Mr. Okeyo for the state

Mr. Njuguna for the accused persons

Karwitha court clerk

Both accused persons present