

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MIGORI

[Coram: A. C. Mrima, J.]

CRIMINAL CASE NO. 12 OF 2018

REPUBLIC.....PROSECUTOR

-VERSUS-

MILLICENT AKOTH DIMA.....ACCUSED

RULING

1. The accused person herein was charged on 08/06/2018 jointly with another not before Court with the murder of one **Calvince Ater**.
2. The accused person denied the charge and a trial was held. The prosecution called 8 witnesses. At the close of the prosecution's case the Defence Counsel, **Miss Apondi**, filed comprehensive submissions. I have carefully considered the submissions which are rich in precedent and the law.
3. I have also considered the evidence on record. I am of the view that this is a matter in which the prosecution established a *prima facie* case against the accused person to warrant her be placed on her defense.
4. Consequently, the accused person herein is hereby placed on her defense. **Section 306(2)** of the **Criminal Procedure Code**, Chapter 75 of the Laws of Kenya is hereby complied with.

DELIVERED, DATED and SIGNED at MIGORI this 4th day of March, 2020

A. C. MRIMA

JUDGE

Ruling delivered in open Court and in the presence of: -

Miss. Apondi, Counsel for the accused person.

Mr. Kimanthi, Learned Senior Principal Prosecution Counsel instructed by the Office of the Director of Public Prosecutions for the State.

Evelyne Nyauke – Court Assistant