

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MAKUENI

HIGH COURT CRIMINAL CASE NO. 08 OF 2017

FORMERLY MACHAKOS HCCRC NO. 19 OF 2015

REPUBLIC.....PROSECUTION

VERSUS

THOMAS MULI KIOKO.....ACCUSED

RULING ON SENTENCE

Thomas Muli Kioko the accused herein was charged and convicted of murder contrary to section 203 as read with section 204 of the Penal Code. The deceased was his 2nd wife. The pre-sentencing report confirms that the deceased's family is still very bitter with the accused. Accused has been in prison custody since 11th March 2015, which is five (5) years and seven (7) months.

The accused was born in 1957 and is now aged 63 years old.

The report shows he has no criminal history. He has learnt a few things here and there while in prison.

I have considered all the circumstances of this case, the mitigation, age of accused, pre-sentencing report, and the period the accused has been in remand custody.

Accused is sentenced to four and half (4 ½) years imprisonment which will be served as follows:

- a) The first 1 ½ years in prison.
- b) The next three (3) years on probation.

Conditions explained.

Orders accordingly.

Delivered, signed & dated this 11th day of November 2020, in open court at Makueni.

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H. I. Ong'udi

Judge