



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NYERI**

**CRIMINAL CASE NO. 18 OF 2013**

**REPUBLIC**

**VERSUS**

**GRACE WANJIRU GATHUMBI.....ACCUSED**

**RULING**

1. The accused was charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code; she is accused of having murdered Rosemary Wangechi Ndaiga between the 3<sup>rd</sup> and 4<sup>th</sup> day of September, 2008 at Solio Estate in Narumoru Location Kieni East District within Nyeri County; on the 16<sup>th</sup> September, 2013 a plea of not guilty to the charge was entered;
2. At the hearing hereof the accused was represented by Learned Counsel Mr.Ombongi whereas Mrs. Gicheha was the Prosecuting Counsel for the State; the prosecution called a total of eleven (11) witnesses in support of its case; at the close of the prosecution case counsel for the accused was invited to make submissions as to whether the prosecution had made out a case to require the accused person to be called upon to defend herself;
3. After hearing the submissions made by the respective counsels and having addressed the evidence on record this court is satisfied that the prosecution has made out a prima facie case against the accused; this court finds that she has a case to answer that warrants her to be placed on her defence; her rights and options will be put to her before she presents her defence;

Orders Accordingly.

**Dated, Signed and Delivered at Nyeri this 9<sup>th</sup> day of January, 2019.**

**HON.A.MSHILA**

**JUDGE**