



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT GARSEN

CRIMINAL CASE NO 7 OF 2016

REPUBLIC.....PROSECUTION

VERSUS

SAMUEL GITAU KAMAU.....ACCUSED

RULING

1. The Accused Samuel Gitau Kamau is charged with the offence of Murder contrary to **Section 203** as read with **Section 204 of the Penal Code**.
2. The particulars of the offence are that on the 10<sup>th</sup> day of June 2016 at Githurai village in Mkunumbi Sub- County within Lamu County murdered Lucy Wachu Njuguna.
3. The prosecution called 10 witnesses and at the close of its case filed detailed written submissions. The defence opted not to submit at this stage. I have carefully considered the evidence on record along with the submissions by the prosecution. It is my finding that a *prima facie* case has been established against the accused. He has a case to answer and is invited to elect the mode of his defence in accordance with **Section 306 of the Criminal Procedure Code**.

Orders accordingly.

**Ruling dated, signed and delivered at Garsen this 22<sup>nd</sup> day of May, 2019.**

.....

**R. LAGAT KORIR**

**JUDGE**

**In the presence of**

S. Pacho Court Assistant

The Accused

Mr. Gatete holding brief for Mr. Gekanana for the Accused

Mr. Kasyoka for the State