

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

HIGH COURT CRIMINAL CASE NO 103 OF 2018

REPUBLIC.....DPP

VERSUS

MERCY MURUGI JOHN.....ACCUSED

SENTENCING

1. I have considered the able mitigation for the accused. That she is a first offender. That she has been in custody since November, 2018. That she is a young lady of 26 years and she has a full life ahead of her. That she is an orphan and has an 11 years old child who is dependent on her.

2. I have also considered the victim impact report. That the family of the victim is bitter with what happened and attacked the Probation Officers when making social inquiry.

3. I have considered in particular the circumstances under which the offence occurred. The facts of the case disclose that she was attacked first by the victim. That Alexander Muema Nzyimi and Charles Mwangi, neighbours heard the accused plead with the victim severally to calm down and not to cut her.

4. In view of the foregoing even a case for defence and self defence would have been open, I am satisfied that all that the accused require is rehabilitation.

5. I accordingly sentence the accused to Probation 6 months under the Probation Officer Imenti South.

A. MABEYA

JUDGE

16/05/2019