



**REPUBLIC OF KENYA**

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

**HIGH COURT CRIMINAL CASE NO 106 OF 2013**

**REPUBLIC ..... DPP**

**VERSUS**

**SIMON MWENDA KABURU.....ACCUSED**

**SENTENCING**

1. I have considered the mitigation of the accused.

2. He is a first offender, old of 69 years, sole bread winner of his family. He is remorseful and regrets his action. He has been in custody for 6 years now and the Pre-sentence report is positive of him.

3. However, I am alive that the maximum sentence imposed by law is death. A life was lost as a result of a deliberations act of the accused.

4. Considering all the foregoing, I sentence the accused to 10 years imprisonment.

Right of Appeal 14 days.

**A. MABEYA**

**JUDGE**

**02/05/2019**