

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT GARISSA

CRIMINAL CASE NO. 34 OF 2012

REPUBLIC.....PROSECUTOR

VERSUS

SALIM ADHE DHADHO.....ACCUSED

SENTENCE

1. I have considered that the accused is a first offender. I have considered the mitigation from counsel for the defence that the accused has apologised and that according to counsel, the accused found his wife with another man. I have also considered that the accused person is a father of two children, and that he is now the only living parent after the death of the mother of the children, his wife.
2. This is a serious offence however, a death has occurred. The attack on the deceased was very vicious. The deceased was defenceless.
3. The Supreme Court in the now famous case of **Muruatetu** has said that the death sentence is not mandatory. It is still a legal and constitutional sentence nonetheless. Each case has to be considered on its own merits. The accused was in the habit of assaulting the deceased, and as such, at the time of the incident the deceased lived with her parents.
4. I sentence the accused to suffer death as provided by law.

Dated and delivered at Garissa this 15 day of October, 2018.

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George Dulu

JUDGE