

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT GARISSA

CRIMINAL CASE NO. 15 OF 2013

REPUBLICPROSECUTOR

VERSUS

1. ABDI ALIO MAHAMAD HASSAN

2. ABDIRIZAK MOHAMED ABDI.....ACCUSED

3. MOHAMED RASHID SHAABAN

RULING

At the close of the prosecution case the defence counsel Mr. Ingutya stated that he will not make any submissions on case to answer. The prosecuting counsel Mr. Okemwa stated that the evidence on record linked the accused persons to the death of the deceased and that the prosecution had established a prima facie case requiring the accused to be put on their defences.

Having considered the evidence on record, I am of the view that each of the three accused persons has a case to answer. I thus put each of the accused persons on their defences and will proceed to explain to them the three options available to them in their defences in terms of section 211 of the Criminal Procedure Code Cap 75.

Dated and delivered at Garissa this 13th day of January, 2017

GEORGE DULU

JUDGE