



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI**  
**CRIMINAL CASE NO. 21 OF 2014**

**LESIIT J**

**REPUBLIC .....PROSECUTOR**

**VERSUS**

**EDWARD WAITHIRU KAGO.....ACCUSED**

**SENTENCE**

1. The accused person was convicted of murder contrary to **Section 203** as read with **Section 204** of the **Penal Code**.
2. The state has treated the accused as a first offender as they do not have his records.
3. The accused did not wish to give any mitigation in this case.
4. I have considered the facts and circumstances of this case. This was a most vile act. The accused decapitated the deceased. The deceased was his paternal uncle. Most importantly the accused has shown no remorse for his action.
5. I noted that the accused has been in custody since March 2014 when he was arraigned in court for this offence.
6. Having considered all these factors, I sentence the accused to death as by law prescribed.
7. The accused has a right to appeal against both the conviction and the sentence within 14 days from the date of this sentence.

**DATED AT NAIROBI THIS 14<sup>TH</sup> DAY OF MARCH, 2017**

**LESIIT, J**

**JUDGE**