

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL CASE NO. 41 OF 2012

REPUBLIC.....PROSECUTOR

VERSUS

A G MACCUSED

SENTENCE

The accused A G M has already been convicted of the offence of murder contrary to section 203 as read with section 204 of the Penal Code. He was found to have murdered E W M, a woman with whom he was cohabiting. The circumstances of the case as emerged from the trial represented a most heinous and foul murder in which the accused not only ended the life of the deceased but cut her body into pieces which he dumped in a river and a pit latrine.

The accused has pleaded for mercy stating that he was remorseful. He asks for a lenient sentence. The prosecution has asked the court to treat the accused as a first offender.

I have considered the mitigation. However, in the light of the circumstances of this case and bearing in mind the purposes of sentencing, I do not find the accused deserving of any leniency. It is desirable that society is protected against him. It is my considered view that the heartless murder deserves only one sentence – that which is provided by law. I sentence the accused A G M to suffer death in accordance with Section 204 of the Penal Code.

Orders accordingly.

Sentence delivered, dated and signed at Nairobi this 1st day of December, 2015

R. LAGAT - KORIR

JUDGE

In the presence of:

.....: Court clerk
.....: Accused
.....: For the Accused
.....: For the State