



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI**  
**CRIMINAL CASE NO. 51 OF 2012**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**NICHOLAS KAMAU KIREHU.....ACCUSED**

**RULING**

The accused, **Nicholas Kamau Kirehu** is charged with murder contrary to section 203 as read with section 204 of the Penal Code. The particulars of the offence are that on 5<sup>th</sup> July 2012 at Mahinga Village Ngecha Location within Kiambu County, murdered John Maina Muraya. He denied the charge when he was arraigned in court to take plea on 18<sup>th</sup> July 2012.

The trial has proceeded with the prosecution calling a total of 10 witnesses whose testimony is now on record. Both the prosecuting counsel and the defence counsel have filed submissions and highlighted the same before court.

Having carefully considered and analysed all the evidence on record as well as the submissions made by both the prosecution and the defence, I find that the prosecution has established a *prima facie* case to warrant putting the accused on his defence. I find the accused **Nicholas Kamau Kirehu** has a case to answer. I require him to make his defence as per **Section 306 of the Criminal Procedure Code**.

**Ruling delivered at Nairobi this 17<sup>th</sup> day of March, 2014**

**R. LAGAT - KORIR**

**JUDGE**

**In the presence of:**

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