



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NYERI**

**CRIMINAL CASE NO. 57 OF 2009**

**REPUBLIC ..... PROSECUTOR**

**-versus-**

**ANTHONY WASIUKHU WENANI.....ACCUSED**

**SENTENCE**

1. The accused was convicted of the offence of murder on 27th day of June 2014 and when called upon to offer mitigation Mr. Njuguna for the accused submitted that in view of the nature of the sentence provided for he did not wish to offer any mitigation. Miss Maundu for the state submitted that the accused had no previous record.

2. Section 204 of the Penal Code provides the sentence as follows.

***“Any person convicted of murder shall be sentenced to death”.***

3. It therefore follows that the only legal sentence provided for under the Penal Code for a person convicted of murder is death sentence.

4. I having taken into account the conduct of the accused and after the commission of the offence I hereby sentence him to suffer death as provided for under the law.

5. Dated, signed and delivered at Nyeri this 15th day of October 2014.

**J. WAKIAGA**

**JUDGE**

Court: Sentence read in open court in the presence of Mr. Njuguna for the accused and Mr. Njue for the state. The accused has 14 days right of appeal.

**J. WAKIAGA**

**JUDGE**