



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT EMBU**  
**CRIMINAL CASE NO. 3 of 2012**

REPUBLIC .....PROSECUTOR

VERSUS

PATRICK MURIITHI IRERI ..... ACCUSED

**NOTES ON SENTENCE**

The County Probation Officer Ms Nguu has filed a detailed social inquiry report on the accused herein. He has been in prison since January 2012 (1½ years). Besides the facts given by the Prosecution, PW2 (an eye witness) had already testified. It's clear the accused's actions were not justified at all. He was not injured in anyway and neither was he attacked. The report by the Probation officer has given the accused person's social life and family background. It also indicates the position taken by the deceased's family, which is very normal. The Probation Officer has given good proposals for the accused on sentence but considering the circumstances of the offence and accused's stay in prison, I do find the following to be an appropriate sentence. He is sentenced to five (5) years imprisonment. The first two years will be served in Prison while the last 3 years will be on Probation. The first one year of Probation will be at Kimumu Probation Hostels.

Right of appeal explained.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT EMBU THIS 2<sup>nd</sup> DAY OF JULY 2013.**

**H.I. ONG'UDI**

**J U D G E**

In the presence of;

Mr. Ing' ahizu for State

Mr. Kiarie Probation officer

Accused person

Njue – C/c