



REPUBLIC OF KENYA

IN THE HIGH COURT

AT NYERI

Criminal Case 30 of 2009

REPUBLIC.....PROSECUTOR

-versus-

RUTH MUMBUI KIRANGI.....ACCUSED

S E N T E N C E

Ruth Mumbui Kirangi, was arraigned before this court to face a charge of **Murder** contrary to **Section 203** as read with Section 204 of the **Penal Code**. The particulars of the offence are that:

On the 24th day of April 2009, at Hotline Trading Centre in Lamuria Division, Laikipia East District within the Rift Valley Province, she murdered Halima Duba Demo. Three witnesses were summoned to testify in support of the Prosecution's Case. The Prosecution and the defence began to negotiate to record a plea agreement to a lesser charge of Manslaughter. On the 23rd day of March 2012, this court accepted and approved a plea agreement duly executed by Learned Counsels from both sides. Consequently, the Accused was convicted for the offence of **Manslaughter** under **Section 205** of the **Penal Code**.

Before pronouncing the sentence, this court invited the Learned Senior State Counsel to give the past criminal record of the accused and further invited the Accused's Advocate to make submissions on mitigation. The court further directed the Probation Officer, Laikipia Central District, to file a Probation Report. Miss Ngalyuka, Learned Senior State Counsel informed this court that the Appellant is a first offender. Mr. Ng'ang'a, Learned Advocate for the Accused urged this court to take into account that the Accused is remorseful and that the offence occurred due to a love passion. The Learned Advocate, also urged this court to be lenient. He further urged this court to take into account the fact that the accused has been in remand for the last three years and the Accused is a young person aged 33 years. The Probation Report filed by the Laikipia Central District Probation Officer recommended that the offender be given a non-custodial sentence. I have taken into account the fact that the accused is a first offender who readily pleaded guilty to the lesser charge of Manslaughter, thus saving the court judicial time. I have also noted that the accused is remorseful and that she has been in custody for the last three years and the fact that she is a young person aged 33 years. I think in the circumstances of this case, the most appropriate sentence is to place the Accused to a Community Service under the supervision of the area chief Tigithi Location, Mr. Christopher Ndirangu for 3 months.

Dated and delivered this 6th day of July 2012.

.....
J. K. SERGON

JUDGE

6/7/12

Coram: Before Justice J. K. Serгон

Court Clerk – Ndung’u

Ng’ang’a for the Accused

Miss Maundu for the Director of Public Prosecutions

Court: Judgment delivered in the presence of the Accused.