

REPUBLIC OF KENYA

High Court at Nakuru

Criminal Case 49 of 2009

REPUBLIC.....PROSECUTOR

VERSUS

MARK LETULUO.....ACCUSED

RULING

I have had an opportunity to review the prosecution evidence and I am satisfied that the Republic has established a prima facie case against the Accused herein.

In accordance therefore with the provisions of Section 306(2) of the Criminal Procedure Code, (*Cap. 75, Laws of Kenya*), I put the accused to his defence, and remind him of his constitutional and statutory rights -

- (a) to give evidence on oath and be subjected to cross-examination by the prosecution, and to call witnesses to testify on your behalf,**
- (b) to give an unsworn statement and not be subjected to cross- examination, and**
- (c) to remain silent.**

You, the accused, will through your Advocate on record indicate which of these options you will or wish to exercise.

It is so ordered.

Dated, signed and delivered at Nakuru this 2nd day of November, 2012

M. J. ANYARA EMUKULE

JUDGE