



**Republic v Irungu (Criminal Case E018 of 2024)
[2025] KEHC 15478 (KLR) (28 October 2025) (Sentence)**

Neutral citation: [2025] KEHC 15478 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MURANG'A
CRIMINAL CASE E018 OF 2024
CW GITHUA, J
OCTOBER 28, 2025**

BETWEEN

REPUBLIC STATE

AND

NANCY MUNJIRU IRUNGU ACCUSED

SENTENCE

1. The accused, Nancy Munjiru Irungu was initially charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code but was subsequently convicted under own plea of guilty for the offence of manslaughter Contrary to Section 202 as read with Section 205 of the Penal Code under a plea bargaining agreement executed by the parties on 23rd May 2024.
2. The particulars alleged that on the 9th day of January 2022 at Kianderi Village, Weithaga Location in Murang'a County the accused caused the death of Bedan Irungu.
3. The facts of this case are to say the least heart wrenching. They reveal that the accused was a mother of two sons namely Peter Virongo and Bedan Irungu aged 4 and 2 years respectively. The children were living with their grandmother Mary Muthoni as the accused worked as a househelp in Nyeri.
4. During the festive season in December 2021, the accused went home to visit her children. On 6th January 2022, accused's sister saw a pregnancy test kit in the accused's bedroom and asked her about it. Their mother (Mary) overheard their conversation and told them she did not want any of them to get pregnant considering she was already taking care of the accused's two children. This angered the accused to the extent that she spent the day sleeping and refused to cook for her children.
5. On 9th January 2022, Mary went to church in the company of accused's brother Benson Kiarie leaving the accused alone in the house with her two sons. When Benson got back home around 4.00 p.m., he found the main door wide open which was unusual. On entering the house, he saw a blood stained



knife at the door. He called out his nephew's names asking why they were sleeping during the day. This is when Peter Virongo responded saying their mother had stabbed them and disappeared.

He then discovered that indeed the children had been stabbed in their stomachs and Bedan's intestines were exposed. He screamed for assistance and neighbours rushed to the house. Mary was notified and on arrival, Bedan was confirmed dead but Peter was still alive. He was rushed to Muriranjas Sub-County Hospital for treatment. He was transferred to Murang'a Level 5 Hospital where he was admitted.

6. The matter was reported to Kahuro Police Station. Police Officers visited the scene, recovered the murder weapon and took the body of the deceased to Murang'a Level 5 Hospital mortuary. An autopsy done on the body established the cause of death as exsanguination secondary to abdominal injury due to penetrating sharp force injuries.
7. After stabbing her children, the accused went underground and only resurfaced at her home about two years later. She had given birth to a baby girl who she left under the care of her brother Benson. Benson took the baby to Koimbi Children's home. Accused later learnt where her child had been taken and when she was going to visit the child on 9th July, 2024, a member of the public spotted her and alerted CPL Joseph Bore of Kahuti police post. CPL Bore proceeded to the children's home, arrested the accused and took her to Kahuro police station. After investigations were completed, the accused was charged with the offence of murder which as stated earlier was substituted with the offence of manslaughter.
8. In his plea in mitigation on behalf of the accused, the accused's learned counsel Mr. Mwangi urged the court to note that the accused was a first offender; that she was remorseful for the offence she committed out of stress. He beseeched the court to exercise leniency and sentence the accused to a non-custodial sentence to help her rebuild her life with her surviving children.
9. I have considered the gravity of the offence and the familial relationship between the accused and the victim. I have also considered the plea in mitigation offered on behalf of the accused by her learned counsel and the circumstances in which the offence was committed. I have also read and considered the findings made in the pre sentence report filed on 14th October, 2025.
10. Having done so, I must point out that the offence of manslaughter is a very serious offence which attracts a maximum sentence of life imprisonment. Although the pre sentence report recommends the accused be considered for a non-custodial sentence, it is my finding that given the facts and circumstances in which the accused committed the offence a non-custodial sentence is not appropriate in this case.
11. The accused appears to be a person who was emotionally unstable and who was used to having her way to an extent that any slight provocation or perception things were not going her way was suffice to cause her take action that was a threat to the life and safety of people perceived to be behind the state of affairs she was opposed to. It is clear from the facts that she shows responsibility for her actions or decisions and this explains why she would disappear from home only to return years later with a child or children who she would leave under the care of her mother and brother.
12. Given the foregoing, I find that releasing the accused on a non-custodial sentence would expose the life and safety of her surviving children to risk of injury or death. Having mercilessly and heinously harmed one of her children and killed another by stabbing them with a knife, there is no guarantee that if she was allowed to rejoin her family she would not commit a similar offence.
13. Besides the claim that she was remorseful for having killed her son is not supportedly the facts on record since had she been remorseful, she would have surrendered herself to the police instead of disappearing



for over 2 years. (which mother mercilessly deliberately stabs her own innocent children with a knife and leaves them to die?)

14. Having carefully considered all the mitigating and aggravating circumstances, I find that a custodial sentence is most suitable in this case in order to protect the life and safety of the accused's two surviving children and to accord the accused time for self-reflection and rehabilitation.

Consequently, I sentence the accused to serve 7 years imprisonment. The sentence shall take to account the period the accused has spent in lawful custody.

It is so ordered.

DATED, SIGNED AND DELIVERED AT MURANG'A THIS 28TH DAY OF OCTOBER, 2025.

HON. C. W. GITHUA

JUDGE

In the presence of:

Mr. Mwangi for the accused

Ms Muriu for the State

Ms. Susan Waiganjo, Court Assistant

