



**REPUBLIC OF KENYA**

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

**HC CRIMINAL APPEAL CASE NO. 49 OF 2016**

**REPUBLIC .....PROSECUTOR**

**VERSUS**

**CHRISTOPHER JOHN  
LEPAKIYO.....RESPONDENT**

**RULING**

Court:-

1. The offence of Murder carries on the higher side a death sentence. However, this is not a mandatory sentence as the Court is entitled to give any other sentence as the circumstances of the case may legally justify. I have considered the sentiments of the Prosecution Counsel. The offence was committed in a brutal manner to a woman who had nursed the accused while a child and was even taking

care of him as an adult. The same was unjustified. Cases of murder are prevalent in this region. The sentence should reflect the gravity of the offence. There is little if any mitigating circumstances in this matter. Probably only that he has been in remand since 2016, a period of about 10 years.

2. Having considered all the foregoing factors, I do sentence him to serve 40 years imprisonment.

3. Sentence to count from 18/8/2016.

**DATED AND DELIVERED AT MERU THIS 12<sup>TH</sup> DAY OF MARCH, 2026.**

**S.M. GITHINJI- JUDGE**  
**12/3/2026**