



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Wanjiku (Criminal Case E001 of 2024)
[2026] KEHC 3854 (KLR) (Crim) (19 March 2026) (Judgment)**

Neutral citation: [2026] KEHC 3854 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYANDARUA
CRIMINAL
CRIMINAL CASE E001 OF 2024
KW KIARIE, J
MARCH 19, 2026**

BETWEEN

REPUBLIC PROSECUTION

AND

STEPHEN NJENGA WANJIKU ACCUSED

JUDGMENT

1. Stephen Njenga Wanjiku is charged with murder contrary to section 203, as read with section 204 of the Penal Code.
2. The particulars of the offence are that on the 15th day of August 2021, at Karangatha township, South Kinangop Sub-County within Nyandarua County, jointly with another, they murdered Margaret Wanjiru Githu.
3. When the body of the deceased was discovered in a posture that appeared to be suicide, doubts were raised, and the accused became the prime suspect, for he was the one cohabiting with the deceased, and earlier that evening, the two had fought.
4. Stephen Njenga Wanjiku, the accused, stated that the deceased came back to their house that evening, accompanied by her mother, who was beating her. Her mother took off the gumboots from the deceased and struck her multiple times on the head with them. The deceased then entered the house. The accused went out to deposit money to buy electricity tokens, but was unsuccessful. He later returned and lay on the bed in the dark. When he stretched, he felt something and realized it was the deceased, who had taken her own life.
5. The issues to be determined are:
 - a. Whether either of the accused caused the death of the deceased;



- b. Whether the deceased committed suicide or was killed; and
 - c) Whether the offence of murder was proved against the accused.
6. Although the accused contended that he did not beat the deceased on the material day, the evidence on record contradicted his account. Grace Wangari Waweru (PW1) testified that she was informed that the deceased was being beaten by the accused. She went to where the two were staying, accompanied by Priscillah. They found the accused beating the deceased with his bare hands. The deceased had her gumboots, which she had given to her at the scene, but she denied hitting her on the head with them.
7. Priscillah Wambui Wanjiru (PW3) stated that they saw the accused and the deceased fighting each other. When he told the accused to stop, she attempted to slap him.
- 1. Dr Titus Ngulungu (PW6) performed a post-mortem on the deceased's body. His opinion was that the cause of death was asphyxia due to the tensile force produced by a flexible cord applied to the neck. He also noted scratch marks consistent with a freeing attempt.
 - 2. The prosecution failed to present any evidence that the cord around the deceased's neck was used by the accused. Without such evidence, we cannot rule out suicide.
 - 3. The analysis of the evidence shows that the prosecution did not succeed in proving its case against the accused. Therefore, he is acquitted of murder and released unless held for lawful reasons.

DELIVERED AND SIGNED AT NYANDARUA, THIS 19TH DAY OF MARCH 2026

KIARIE WAWERU KIARIE

JUDGE

