



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MACHAKOS**  
**CRIMINAL CASE NO. 23 OF 2019**

**REPUBLIC .....PROSECUTOR**

***VERSUS***

**SCOLASTICA KAWERA NZENGE .....ACCUSED**

**SENTENCE**

1. This court notes that the accused person was found guilty and convicted after full trial. Although she was charged with the offence of murder this court reduced the offence to manslaughter.
2. I have heard and considered her mitigation and weighed it together with the submissions of learned Prosecution Counsel that this court ought to consider the other objectives of sentencing. This court had also called for a Pre-sentence Report and a comprehensive report has been filed. The same has recommended probation. However, noting that the accused waited to go for a full trial and considering the circumstances of the offence, I believe that a custodial sentence would be the most appropriate. This shall ensure that the accused person understands the gravity of what she did.

3. In the premises, this court shall sentence the accused person to imprisonment for a period of fifteen (15) years. So as to comply with **Section 333(2) of the criminal Procedure Code**, the sentence shall be computed to commence from the date of her arrest which is 11<sup>th</sup> July 2019.

Right to appeal to the Court of Appeal is explained.

**Sentence signed, dated and delivered virtually on this 23<sup>rd</sup> day of April 2026.**

**E. N. MAINA  
JUDGE**

**IN THE PRESENCE OF:**

Mr. Masila for the State

Ms Kavita for the Accused

The Accused person

Tecla - Court Assistant/Interpreter