



Case Number:	Criminal Case 15 of 2018
Date Delivered:	24 Mar 2022
Case Class:	Criminal
Court:	High Court at Mombasa
Case Action:	Ruling
Judge:	Anne Apondi Ong'injo
Citation:	Republic v Sammy Ronald Ndegwa [2022] eKLR
Advocates:	Mr. Ngiri for State Ms. Oyier Advocate for Accused
Case Summary:	-
Court Division:	Criminal
History Magistrates:	-
County:	Mombasa
Docket Number:	-
History Docket Number:	-
Case Outcome:	Accused person put on his defence
History County:	-
Representation By Advocates:	Both Parties Represented
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-

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REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
CRIMINAL CASE NO. 15 OF 2018

REPUBLIC.....PROSECUTOR

VERSUS

SRN.....ACCUSED

RULING

1. The accused SRN is charged with offence of murder contrary to Section 203 as read with Section 204 of the penal code Chapter 063 of the Laws of Kenya.
2. Particulars are that Sammy Ronald Ndegwa on the 7th day of April 2018 at around 08.00hrs at [particulars withheld] area of Miritini, Jomvu Sub-County within Mombasa County murdered Hamisi Said Nyawa Nyota.
3. The prosecution tendered evidence of 11 witnesses to prove that accused murdered his brother. This court finds that in consideration of the accused persons poor mental health he could not have had malice aforethought in committing the offence. It came out that he stabbed his brother who tried to restrain him from going to attack a 3rd party.
4. This court therefore finds that a prima facie case has been established for the offence of manslaughter. Accused is therefore place on defence.

DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 24TH DAY OF MARCH 2022

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of: -

OGWEL- COURT ASSISTANT

MR. NGIRI FOR STATE

MS. OYIER ADVOCATE FOR ACCUSED

ACCUSED – PRESENT IN PERSON

HON. LADY JUSTICE A. ONG'INJO

JUDGE

MS. OYIER ADVOCATE

WE CAN TAKE A DATE FOR DEFENCE HEARING.

Order

DEFENCE HEARING – 2/6/2022

HON. LADY JUSTICE A. ONG'INJO

JUDGE



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