

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA
HCT-00-CR-SC-0485-2018

UGANDA **PROSECUTOR**

vs

1. MUGABE KAMADA
SHAKUR

2. OLO JOHN BOSCO

3. DUMBA ALI SALONGO

KYAGULANYI **ACCUSED**
SEMBAJJA

4. SENDI FRANK a.k.a HEAVY

5. KAYA BRIAN

6. LUKWAGO HERBERT

BEFORE: THE MR. JUSTICE MICHAEL ELUBU

JUDGEMENT

The accused persons: **MUGABE KAMADA SHAKUR, OLO JOHN BOSCO, DUMBA ALI SALONGO KYAGULANYI SEMBAJJA, SENDI FRANK a.k.a HEAVY, KAYA BRIAN** and **LUKWAGO HERBERT** face two counts.

The first is Murder contrary to sections 188 and 189 of **the Penal Code Act** where it is alleged in the particulars of offence that the accused persons on the 24th day of May 2018 at Kikajjo Ndikumidda zone in Sabagabo in Wakiso district murdered Nabwanika Rehema Halima.

The second count is Kidnap with intent to Murder contrary to Section 243 (1) (c) of **the Penal Code Act**, where it is alleged in the particulars of offence that the accused persons, on the 24th day of May 2018 along Namirembe Road in Kampala district, forcefully took away Nabwanika Rehema Halima against her will with intent to procure a ransom of an unspecified amount from the relatives of the said Nabwanika Rehema Halima for her liberation from the danger of being murdered. All the accused persons pleaded not guilty on both counts putting proof of all elements of the offences into issue.

The brief facts for the prosecution are that at about 9.00 am on the 25th of April 2018, a young boy was grazing goats at a neighbour's farm which is located on Kikajjo hill, Massajja Division in Makindye Ssabagabo in Wakiso District. He came across a dead body of a young woman and informed the Farm Manager called Kasimbazi Justus, PW 3 who called the Police from a nearby Police Post. The matter was eventually reported to Katwe Police station. Scenes of crime officers visited and processed the scene. They found the body of a young woman approximated to be about 19 years of age lying on her back face up. Her mouth, eyes and nose were sealed with super glue. Near the scene was a black phone cover with a sticker written on 'Shakulu'. They took photographs of the scene.

The body was recovered and taken to Mulago hospital for a post mortem examination. The cause of death was established to be suffocation due to obstruction of the nose.

The body of the deceased was never claimed by anybody and she was buried by state.

After about a month, in May 2018, A1 Mugabe Kamada Shakur was arrested by officers from Central Police Station in connection with a defilement case. On arrest and in the course of inquiries, the police got information of his alleged participation in the murder of one Rose Nakisekka. As investigations in the case of Nakisekka progressed, the accused admitted participation in the Murder of

Nabwanika Rehema Halima. He led the police to the scene on Kikajjo hill where he pointed out the area where Nabwanika was killed.

Mugabe Kamada recorded a charge and caution statement confessing to the murder. He stated that on night in April 2018, the deceased was picked from the new taxi park in a car, Toyota Corona commonly referred to as 'Kibina', driven by A6 Lukwago Herbert. In the car were A2 - John Bosco Olo, one Mulongo, Sendi Frank also known as Heavy and A5 - Kaaya Brian.

The vehicle was driven to Kikajjo hill. Along the way Lukwago made several phone calls to A3 – Dumba Ali. A1 states that Dumba had several shrines on Kikajjo hill and was the one financing the mission.

Towards midnight the group got Kikajjo hill with the girl. Dumba was waiting for them but when he saw the girl he got angry and telling Lukwago he had wanted a girl who had never had a child. That he felt and squeezed the breasts of the deceased asking her if she had delivered before. Nabwanika said she had one child. It was then that Dumba rejected the girl and directed she should be killed.

That Olo John Bosco put Nabwanika in a 'strangle hold' squeezing till she collapsed and died. Dumba told them that he would report the matter to Namasuba Police the next morning and they would come and retrieve the body. That Dumba then handed Lukwago a wad of money and they departed leaving Dumba standing by the dead body.

That the group drove away to Kampala. Along the way, A6 – Lukwago who had the phone of the deceased, starting making calls to the parents of the deceased demanding that they pay a ransom if they wanted to get back their daughter alive. It is not clear if they ever paid any money.

They went to Top bar in Kampala where A1 – Mugabe Kamada Shakur was given UgX 200,000 as his share. Each of the others also got a portion.

It was the arrest and information from A1 Shakur that led to the arrest of the others. He was also the one who revealed that the deceased had stated that she

was called Nabwanika. Otherwise she was originally treated as an unidentified person.

On arrest Olo John Bosco recorded a charge and caution statement in which he confessed to strangling the deceased.

The police also visited the scene with the Mugabe Kamada and Olo John Bosco where a reconstruction of events was video recorded. The video was tendered in evidence.

All accused persons were put to their defence.

A2 Olo John Bosco denied the charges. He testified as DW 1 and stated that he was arrested on 17th of May 2018 during an operation by officers dressed in black. Because he had just returned from prison the officers said he should know about these allegations. That on arrest he was hooded and taken to Katwe Police Station where he was beaten and told to admit whatever he was asked. That it was in Katwe Police station that he met A1 – Mugabe Kamada Shakur for the first time. At some point he and A1 were taken to a hill after the torture and admitted the commission of the offence as he had been directed. That he does not know the deceased. That he got to know the other co accused persons in prison. He showed the court scars on his head, cuffs and leg that were from the injuries allegedly sustained during this period.

In his evidence DW 2, Mugabe Kamada Shakur stated that he knew all the accused persons with the exception of Sendi Frank a.k.a Heavy.

He stated that he first met A3 Dumba Ali and Lukwago Herbert in 2014 when they were all detained at the Central Police Station in Kampala. That he met A1 Olo John Bosco in prison where he was detained for 4 years. He was inducted into their gang when he left prison. One day in 2018 he was told that Dumba the native doctor had a job for them. The next day they met at the new taxi park where he found A6 - Lukwago driving a black Corona Kibina with tinted windows. In the front with him was one Mulongo Omumpi. In the back seat were Olo John Bosco - A3 and A5 – Kaaya Brian were also in the car with a girl dressed in a jumper

with a head dress. Sendi Frank was not with this group. He stated that they drove to kikajjo hill via Busabala road. All the while A6 was in communication with Dumba Ali. It was during this drive that they learnt the girl's name was Nabawanika Rehema Halima. At about 11.00 pm they met Dumba at Kikajjo hill near his shrine. When he saw the girl however, he rejected her saying she had ever had a child. He inquired from Nabwanika if she had ever delivered and she answered that she had one child. It was then that he directed Olo to kill her. Olo put her in a stranglehold squeezing her to death.

A3 Salongo Dumba Ali denied the offence. He stated that he keeps cultural items and artefacts on behalf of the Kingdom of Buganda, a job he has undertaken for the last 16 years. His shrine is near the farm where the body of the victim was recovered. It is his evidence that on a date he cannot remember, he left his home in Mityana town and went to his workplace in Massajja. He got there at about 10.00 am but found a crowd of people and the police at the scene. He learnt that a dead body had been discovered on the farm. 7-8 days later, he was arrested by armed security men in company of A1. They immediately started beating him saying that he is killing people. He was detained in an unknown location but they continued torturing him for one and half months. With the exception of A1 whom he saw on the day of his arrest, he met all the other accused persons on the day they were taken to court. It is his evidence that in 2014 a body was picked on the same hill and Kamada charged as A2 in that case. On that occasion, Dumba was the person who called police to pick the body. He believes this is where A1 got to know his name because he was mentioned in the summary of the case and indictment as a witness. He denies ever talking to A6 Lukwago. That since there is a phone mast at the scene it would be easy to verify which calls had been made. In any event the police took his phone which they should use and track for any contact between A6 and himself.

A4 Sendi frank denied committing the offence. He was a boda rider at mini price and a police informer. He stated that on the 24th of May 2018 he took passengers to Capital Shoppers in Ntinda. There, he and his passengers were arrested and

taken to Ntinda Police Station. The police asked him to pay for his release but he did not have all the money they wanted. That was when they transferred him to CMI where he was severely tortured and asked about the death of several girls. He was also asked about the other co accused persons but he had never heard their names before save for Kaaya Brian who was worked at Mini Price Police station. He remained at the CMI from the 24th of May 2018 to the 6th of July 2018 when he was taken to court. At court he was read the charges of Murder and Kidnap that he knew nothing about.

A5 Kaaya Brian dealt in ladies' cloths and was an SPC Kikubo Police post. He was arrested on the 29th of May 2018 from the police post and taken to CMI and tortured. He was interrogated while being tortured. They inquired whether he was a village coordinator for Boda Boda 2010. He denied committing the offence. He did not know the deceased – Nabwanika Halima Rehema. He said that he had never met A1 before this matter but that A1 had been blackmailing that unless he was paid he would implicate and pin A5 as one of the killers. That he knew A4 - Sendi Frank as an informer at Mini Price

A6 Lukwago Herbert who testified as DW 6 stated he was a business man but he also loaded goods destined for Mbale. That he was arrested from Munyonyo at 7:00 pm on the 25th of May 2018 by several security men. At the time he thought the arrest was over a consignment of goods that had gone en route to Mbale. That these men tortured him severely and taken to CMI. It was here that he met A1 for the first time. That A1 had the officers in CMI extorting money from A6. It was from here that A1 learnt A6 had money and started blackmailing him. He demanded that unless A6 paid him, he would implicate him on this offence. He refused to give in and that is why A1 implicated him. that he does not know the rest of the accused persons. The he does not know the deceased and first heard her name in Court.

As this is a criminal case it is trite law that the burden of proof rests with the prosecution and never shifts (**Okethi Okale vs R 1965 E.A 555**). The standard

of proof is beyond reasonable doubt (see **Kamesere Moses vs Uganda S.C.C.A 8/1997** (unreported)).

The parties in this case filed written submissions at the close of the hearing. Mr Wanamama Mic Isaiah was Counsel for the Prosecution while Mr Muhwezi Anthony represented A1 – A5 on state brief. Ms Annet Okwera was counsel for A6 on private brief. This court will deal with the two counts in turn.

With regard to charges of Murder contrary to sections 188 and 189 of **the Penal Code Act** the essential elements are:

- i. There was a death
- ii. The death was caused unlawfully
- iii. With Malice aforethought
- iv. The accused participated.

i. There was a death

On the 24th of May 2018 the body of a 19 year old lady was recovered in Kikajjo on Massajja hill. This body was seen by PW 3 the farm manager on the land where the body was discovered. He called the Police from Namasuba who came to the scene. Eventually PW 4, the Regional Scenes of Crime officer of Kampala Metropolitan South, Assistant Superintendent of Police Damian Lubega, came to the scene and photographed the body. Those pictures were tendered as PE 9. The body was taken to the City Mortuary and a post mortem report produced. The report was exhibited as PE 1. At the time the name of the deceased had not been established and the report states the deceased person's name was unknown.

From all the above I find that there was overwhelming evidence that the victim, Nabwanika Rehema, is dead.

ii. The death was caused unlawfully

The post mortem showed that the deceased died of suffocation. The photos show that the eyes, mouth and nose are sealed using superglue. The position of the law is that every homicide is deemed to be unlawful unless the evidence shows that it

was lawful or accidental or committed in excusable circumstances (See **Gusambizi s/o Wesonga [1948] 15 EACA 63**).

A homicide is the killing of one human being by another. This evidence does not indicate lawful, excusable or accidental circumstances of death.

The circumstances in this case show the death to have been a homicide which was unlawful.

iii. With Malice aforethought

Malice aforethought is provided for in S. 191 of **the Penal Code Act** and is deemed to be established from evidence showing a positive intention, by the accused, to cause death.

Malice aforethought is not easily proved by direct evidence, as intention resides in the mind. For that reason, the High Court and superior courts have held in a long line of decisions, that malice aforethought can be inferred from: the type of weapon used; the nature of the injuries inflicted; the part of the body affected; and the conduct of the perpetrator before and after the attack. (See **Amis Katalikawe & 2 Ors V Ug SCCA 17/94** Unreported).

I have considered the post mortem report findings - PE 1 alongside the photos of the body of the deceased. I have also examined the manner in which the lips, nose and mouth were sealed with a superglue. The deceased could not have sealed off her own airways. This was a deliberate premeditated act intended to cause death. Cutting off air is fatal to a human being. It should be noted that the defence evidence shows that the deceased was also put in a stranglehold bringing her to her death.

The above circumstances all show that there was a deliberate intention to cause death and the element of malice aforethought has been proved beyond all reasonable doubt.

Whether the accused persons participated in the commission of the offence

The offences here were committed in the course of one transaction. For that reason, proof of participation in Count 1 confirms participation in Count 2. I will

therefore evaluate the evidence regarding participation for both counts jointly later in this judgement.

The second count is Kidnap with intent to Murder contrary to Section 243 (1) (c) of **the Penal Code Act**. The elements to prove the commission of this offence are:

1. The Victim who was taken unlawfully
2. By force or fraud (against their will)
3. With intention or knowledge that person will be killed
4. By the accused person(s)

I will resolve the first three elements jointly.

In agreement with the submission of counsel for the defence, the evidence must show that the victim was seized, taken, removed, moved or abducted. That she was moved from one location to another against her will either by force; threat of injury; trick; or fraud.

The offence is complete when there has been an actual asportation of the victim particularly when accompanied with an intention to kill; compel; or gain a benefit. The submission of the defence is that the proof of whether the first three elements of the offence is proved will depend on whether this court can rely on the testimony of A1 and A2.

I agree that the evidence adduced through A1 and A2 is inextricably linked to whether the prosecution has proved the 1st and 2nd elements of this count. It is only through them that a determination can be made whether the victim was abducted and taken to Massajja against her will.

I shall return to these elements later in this judgement.

The court will examine first the charge and caution statement of the A1 Mugabe Kamada Shakur.

In this case the submission of the defence is that the prosecution evidence was discredited in cross examination.

The prosecution on the other hand produced evidence to show that the confessions of A1 and A2 are sufficient by themselves to establish this case.

This court found that the charge and caution statements of both A1 and A2 were properly on record.

In this charge and caution statement Mugabi Kamsda Shakur stated:

... on a date in April 2018 he once met John Bosco Oloo, Mulongo and Lukwago with a certain lady whom he came to know as Rehema seated in a corona black in colour and asked them for some job ... he joined them and they drove as Mulongo kept making and receiving calls ... on Entebbe road they branched off to Busabbala road. Lukwago was driving and making calls to one person I came to know as Salongo informing him how he should find them on the way. They turned off at a church called Saint Pius as it came to 11.00 pm. We met Salongo a few metres from the Church ... he took hold of Rehema and told her that if she wanted to retain her life she should not disturb him. That they climbed the hill called Kikajjo at Massajja and that is when he came to know Salongo as Dumba. While on hill Salongo started touching the breasts of Rehema and blamed Lukwago for bringing him a girl who was ever produced yet they agreed to bring a virgin girl .. this is when Dumba gave 4,000,000/- to Lukwago and we started sloping down. This is when Oloo John Bosco jumped on the girl and strangled her to death as Lukwago, Dumba and I watched. Later Salongo informed us he was going to call the police in Kikajjo to pick the body...'

The other charge and caution statement relied on by the prosecution is that of Oloo John Bosco. He stated that he was with Shakul, Mulongo, the driver and the deceased. They drove to Kikajjo hill up to Dumba's shrine. The girl was taken into the shrines. That the witch doctor Dumba returned angry and told Shakur that he had not met all he wanted and the spirits had rejected the girl. Then Shakul told Oloo to show the witch doctor what he is. That was when Oloo forcefully strangled the girl to death to prove to the boss, the witch doctor, that he was part of the group. That the girl had seen them and had to be killed. That Salongo helped Mulongo and Shakul to take away the body of the girl leaving Oloo at the shrine.

Then in the video reconstruction, in which both A1 and A2 appear, they are both seen talking to PW 2, Detective Constable Ngamuha Swizen. A1 stated that five of them drove to Massajja. That is Shakul, Lukwago Salongo, Brian and a man called Heavy. They had the girl with them. That video shows A1 and A2 lead the team up a hill where they say they were led by Dumba to a spot where he touched the girl's breasts. He took Lukwago aside and complained that he had wanted a girl who had never produced. He took out money that gave to Lukwago. Then Oloo strangled the girl and they dumped the body under mango trees. Dumba told them that in the morning he would call officers from Kikajjo Police to come and remove the body.

The principle of the Law is that a statement is not a confession unless it is sufficient by itself to prove the guilt of the person making it of the offence for which he is charged (**See Anyangu Vs R (1968) E.A 239**).

From all these statements and the scene reconstruction it is clear that they all show the girl was taken to Kikajjo hill and killed there.

A court must however have the assurance that the statements of the accused are true. This can be done by testing the evidence for veracity. For that reason, the evidence should ordinarily be corroborated.

In this case there is the additional aspect that the prosecution is relying on the accomplice evidence.

S. 132 of **the Evidence Act** provides that an accomplice shall be a competent witness against an accused person; and a conviction is not illegal merely because it proceeds upon the uncorroborated testimony of an accomplice.

'In a criminal trial, a witness is said to be an accomplice if, inter alia, he participated, as a principal or an accessory in the commission of the offence, the subject of the trial. One of the clearest cases of an accomplice is where the witness has confessed to the participation in the offence, or has been convicted of the offence either on his own plea of guilty or on the court finding him guilty after a trial' (see **Nassolo V Ug [2003] EA 181**).

As seen from the video, and both confession statements A1 and A2 confess to the commission of the offence. Then in the video both accused persons admit to their

participation. They tarred themselves with the same brush, and to the same extent, they painted all the others.

Again looking at the video, there is no indication that the A1 and A2 have been compelled to tell lies. A1 calmly narrates the events in much the same way he did under oath in Court as DW 2. I am persuaded he was telling the truth. In the same way A2 is an enthusiastic narrator and there is no indication of any of the threats he alludes to in his defence. Both A1 and A2 are of a normal, calm and composed demeanour. They appear to recount the events of their own free will.

In his testimony as DW 2, A1 stated that he entered a car driven by A6 in which he found the deceased girl, one Mulongo, A2 and A5 - Brian Kaaya. As they drove off and in conversation they learnt that the girl was Nabwanika Rehema Halima. They took Entebbe road, then branched off at Busabala road. Lukwago threatened the girl that she was in a wrong car. He then directed her to change into another dress that he gave her. Lukwago was in the meantime making calls to Dumba. They branched off at St Pius Church sign post and found Dumba waiting at the road side. They all, except Kaaya Brian and Heavy, got out of the car and walked up a hill with Dumba till they got to a farm. All the while Dumba was quarrelling because he disapproved of the girl saying she was an old woman. He asked the deceased to confirm if she had ever delivered she said she had. When Lukwago asked him what next, he said because the girl had identified them she should be killed. That Dumba signalled to Oloo who grabbed the girl, strangled her till she died. Dumba then gave them money and they walked away leaving Dumba with the body. That A1 looked back and saw Dumba walking around the girl. A1 was given 200,000/- as a share.

Courts have held,

‘In a criminal trial, where a person who is an accomplice gives evidence on behalf of the prosecution, it is the duty of the judge or the magistrate to warn himself that, although he might convict on his evidence, it is dangerous to do so unless it is corroborated. This rule, although a rule of practice, now has the force of a rule of law and where a judge or magistrate has failed to

warn himself in accordance with it, the conviction would be quashed...’
(See **Ayor and anor Vs Ug [1968] 303**).

While A1 and A2 did not, in the strict sense give evidence for the prosecution, the warning here is still relevant.

With these warnings in mind, I do find aspects of corroboration of both Kamada’s and Oloo’s statement in the fact that they all say the deceased was killed on Kikajjo hill where indeed her body was found. They both say that Dumba had a shrine on the hill. This is a fact Dumba has admitted to in his defence. That he has a shrine on Kikajjo hill. They both say they travelled in a black corona car to Kikajjo.

A1’s testimony is farther corroborated by the fact that he stated that the deceased had short hair as indeed was seen from the photos that were tendered in court showing her to have short hair. He additionally stated that she had on a red pair of panties. The police and photographs of the victim show her to have been putting on a red pair of panties. A phone cover from his phone was recovered near the scene by PW 4 - the Scenes Of Crime Officer. A1 also stated that they walked up to a place that looked like a farm. Indeed the deceased was picked on a farm where PW 3 was a farm manager.

It is not necessary that every individual aspect of the evidence must be corroborated.

‘Corroboration does not mean that there should be independent evidence of that which the accomplice relates, otherwise his testimony would be unnecessary. The principal is that if an accomplice is corroborated not only may that part of his evidence which is corroborated be relied on but also that part which is not corroborated, the corroboration of a material part being a guarantee of the truth of his evidence as a whole’ (See **Rex V Taibali Mohamedai 10 EACA 60**). This holding was cited with approval in **Susan Kiguli V Ug. SCCA No. 1 of 2004** where it was summed up that corroboration in part corroborates the whole.

Therefore, the testimony and statements here have both been corroborated with the corroboration being sufficient to lend credence to the entire body of the statements.

I have also considered the aspects of consistency on the evidence. The detail in the video tallies with the charge and caution statements. Both state that the girl was driven in a black corona kibina. All state that they drove along Entebbe road to Massajja and then to Kikajjo hill. All state that it was Oloo who killed the girl by strangling her.

In *Baluku Samuel and Anor v Uganda* [2018] UGSC 26, the Supreme Court stated:

'We are aware that in assessing the evidence of a witness and the reliance to be placed upon it, his or her consistency or inconsistency is a relevant consideration. This Court in *Sarapio Tinkamalirwe vs Uganda*, Criminal Appeal No. 27 of 1989 (SC) held as follows:

"It is not every inconsistency that will result in a witness testimony being rejected. It is only a grave inconsistency, unless satisfactorily explained, which will usually, but not necessarily result in the evidence of a witness being rejected. Minor inconsistencies will not usually have the effect unless the Court thinks they point to deliberate untruthfulness.'

There are aspects of inconsistency in the evidence of the prosecution. But those inconsistencies, in my view, do not touch the root of the matter which is the abduction of the girl, her transfer to Kikajjo hill and eventual murder. These material areas remained constant throughout.

All the foregoing notwithstanding, this court is alive to the danger of acting on the uncorroborated evidence of an accomplice. I warn myself as I did the assessors but still find that key aspects are corroborated as shown above.

Even then, there are exceptions to this rule on corroboration as stated in **Canisio s/o Walwa V R 23 EACA 453** where it was held in that there are exceptional cases in which a departure from the general rule (of corroboration) is justified. The criterion as to whether such an exceptional case has arisen is the credibility of the accomplice combined with the weight to be attached to the facts to which they testify. The principal facts to be considered are not only their demeanour and quality as witnesses but also their relation to the offence charged and the parts

which they played in connexion therewith and the degree of their criminal complicity in law and fact.

In spite of the aspects of corroboration pointed out above the evidence of DW 2 Kamada Shakur could still stand on its own. It was given under solemn oath and withstood cross examination.

In light of the above I find that the prosecution has proved that Nabwanika Rehema Halima was unlawfully and forcefully taken to Kikajjo hill against her will with a knowledge or intention that she may be killed.

For the above reason the first three elements of Count II are proved.

All accused persons denied participating in this matter.

In respect to A1 Kamada, his testimony in Court, his confession and evidence given the video reconstruction of events proves his participation in this offence.

A2 Oloo John Bosco made a charge and caution statement that I find amounted to a confession. Secondly he was placed at the scene by A1. His denials given in his defence evidence appear to be an afterthought that has not cast doubt. The prosecution has proved his participation.

With regard to A3 Dumba Salongo, A1 and A2 properly pointed to the role he as a master mind and financier. The extent of his participation is not dispelled by his denial or his defence that he has been framed by Mugabe Kamada. He did not rebut the charge and caution evidence from A2 which also pointed to him. In light of all that I find that he participated in the commission of the offences here.

A4 Sendi Frank is named in the video both by A1 and A2. However, when A1 testified, it was his evidence that the Sendi Frank who committed the offence alongside the others is a different person and not A4. For this reason, I find that there is no evidence of his participation in the commission of the crimes here.

A5 Kaaya Brian denied knowing A1 or participating in this offence. That he was charged simply because he refused to succumb to the blackmail of A1. In view of the evidence above however I find that he was one of those who drove the deceased to Dumba and was fully aware of what was happening.

I turn now to A6 - Lukwago Herbert, he stated he was framed by A1. From the video reconstruction however, both A 1 and A2 pin him. A1 also states he was the driver of the vehicle and played a key role throughout the commission of the offence. The prosecution has therefore proved his participation. For that reason, I reject his claim of a framed charge against him.

A1, A2, A3, A5 and A6 all had a common intention to commit the above acts.

In the result

1. **MUGABE KAMADA SHAKUR;**
2. **OLO JOHN BOSCO,**
3. **DUMBA ALI SALONGO KYAGULANYI SEMBAJJA,**
4. **SENDI FRANK a.k.a HEAVY,**
5. **KAAYA BRIAN**
6. **LUKWAGO HERBERT**

are found *guilty* on the charges of:

- a) Murder Contrary to Sections 188 and 189 of the PCA
- b) Kidnap with intent to Murder contrary to Section 243 (1) (c) of **the Penal Code Act,**

And are hereby *convicted* on both counts.

Sendi Frank aka Heavy is hereby acquitted.

Dated at Kampala this Day of November 2022

.....

Michael Elubu

Judge

2.11.2022