

IN THE COURT OF APPEAL OF TANZANIA

AT DAR ES SALAAM

CORAM: Mustafa, J.A., Mwakasendo, J.A. and Makame, J.A.)

CRIMINAL APPEAL NO. 10 OF 1981

B E T W E E N

JUMA MOHAMEDI APPELLANT

A N D

THE REPUBLIC RESPONDENT

(Appeal from the sentence of the High Court
of Tanzania at Dodoma) (Maina, J.) dated
the 10th day of February, 1981,

in

Criminal Sessions Case No. 34 of 1980

JUDGMENT OF THE COURT

MUSTAFA, J.A.:

The appellant killed the deceased who was found ~~in flagrante~~
delicto with the appellant's wife. However, when the appellant
found his wife and the deceased in a room, he locked the room
from outside and then called a number of his co-villagers to the
scene. He then opened the door and went in and stabbed the
deceased to death with a knife in the stomach, in the presence of
witnesses.

The court accepted a plea to manslaughter and sentenced the
appellant to nine (9) years' imprisonment. The appellant is
appealing against the sentence imposed. We find no merit in the
appeal. The sentence is severe but in no way excessive in the
circumstances. We dismiss the appeal.

DATED at DAR ES SALAAM this 22nd day of July, 1981.

A. MUSTAFA
JUSTICE OF APPEAL

Y.M.M. MWAKASENDO
JUSTICE OF APPEAL

L. M. MAKAME
JUSTICE OF APPEAL

I certify that this is a true copy of the original.

(J. L. PIALUSNY)

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