

IN THE COURT OF APPEAL OF TANZANIA

AT Mwanza

CORAM: NYALALI, C.J., MAKAME, J.A., and KICANGA, J.A.

CRIMINAL APPEAL NO. 34 OF 1986

NTENDELWA S/O LUSHINGE.....APPELLANT

AND

THE REPUBLIC.....RESPONDENT

(Appeal from the conviction of the High  
Court of Tanzania at Mwanza) (Katiti, J.)  
dated the 10th day of April, 1986

in

Economic Crimes Case No. 10 of 1985

ORDER

MAKAME, J.A.:

The appellant, a former Police Officer, was sentenced to 10 years imprisonment consequent upon his conviction for corruption, contrary to the Prevention of Corruption Act and the Economic and Organized Crime Control Act. He is appealing against the sentence. Mr. Kikangwa, learned Counsel, complains that the sentence is manifestly excessive and should not have been imposed upon his client, who is not a habitual offender.

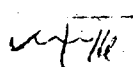
With respect, we do not think we should interfere. The trial court took into account all the mitigating factors and imposed the sentence it did. It took into consideration the fact that the appellant was a police officer in the execution of his duties. We do not think we should reduce the sentence upon such an avaricious corrupt police officer. We accordingly dismiss the appeal.

F. L. NYALALI  
CHIEF JUSTICE

L. M. MAKAME  
JUSTICE OF APPEAL

R. H. KISANGA  
JUSTICE OF APPEAL

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

  
J. H. MSOFFE  
DEPUTY REGISTRAR

