

IN THE HIGH COURT OF TANZANIA

AT MBEYA

APPELLATE JURISDICTION
(MBEYA REGISTRY)

CRIMINAL APPEAL NO.131 OF 2001

(Org. Criminal Case No,858 of 1997 of the
District Court of Mbeya District at Mbeya)

WILLY S/O GAMBA:::::::::::::::::::::APPELLANT

VERSUS

THE REPUBLIC - - - - -RESPONDENT

FOR THE

MACKANJA, J.

The appellant was convicted of cattle theft s/s 268 and 265 of the Penal Code. Following the conviction he was sentenced to five years imprisonment. The conviction was entered and the sentence was passed on 31st March, 1998. The appellant was aggrieved and lodged his appeal on the 29th October, 2001. The record shows that he did not give notice of his intention to appeal as required by s. 271 (1)(a) of the C.P.A. An appeal which is instituted without first complying with the above provisions shall not be sustained by the Court.

In those circumstances the appeal is invalid and it is consequently, struck out.

sgd: J.M. MACKANJA

JUDGE

1.11.2002

20.11.2002

Coram: D.E. Mrango, Ag. DR

Appellant: Present

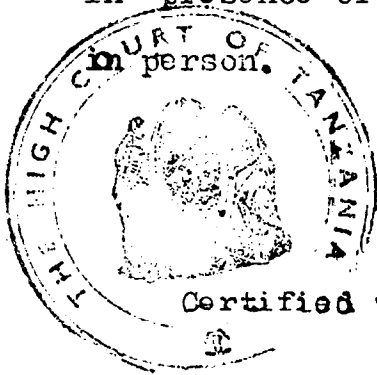
Respondent: Miss Kileo, S.A.

C.C: Mbasha/Sanga

Judgment delivered today the 20th day of November 2002
in presence of Miss Kileo, S.A. for the Republic and Appellant

sgd: D.E. MRANGO, Ag. DR

20.11.2002



Certified true copy of the original.


DISTRICT REGISTRAR