

**IN THE HIGH COURT OF TANZANIA
(DAR ES SALAAM DISTRICT REGISTRY)
AT DAR ES SALAAM**

MISCELLANEOUS CRIMINAL APPLICATION NO. 158 OF 2017

***(Originating from Criminal Case No. 368/2015
Kiiombero District Court)***

MOHAMED S/O SAID @ NUSUHELA APPELLANT

VERSUS

THE REPUBLIC.....RESPONDENT

28/6/2018 & 28/6/2018

R U L I N G

MASAJU, J.:

The Applicant seeks the leave of the Court so that he can file the Notice of Appeal in the extended time pursuant to section 361(2) of the Criminal Procedure Act, [Cap 20]. He has adduced, Vide Affidavit, reasons for delay of filing the Notice of Appeal within time upon conviction. The Respondent has not resisted the application. The Applicant who is not represented, being a layman had only asked the court to adopt his application in the light of reasons deponed in the Affidavit, consider them and grant the application.

The Court is of the considered opinion that the reasons so advanced by the Applicant in the affidavit are meritorious and constitute good cause in terms of section 361(2) of the CPA, [Cap.20]. That being the case, this application is granted accordingly.

The intended Notice of Appeal if any, to be filed in court with ten (10) days from date of Ruling.



Masaju, J

28/6/2018

Delivered on 28th day of June, 2018 in the presence of the Applicant in person and MS Lilian Rwetabura, State Attorney, for the Respondent.



Masaju, J

28/6/2018