

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

MISC. CRIMINAL APPLICATION NO. 168 OF 2019

*(Originating from Criminal Case No. 134 of 203, in the District Court of
Ulanga at Mahenge)*

IGNAS LYOMBO -----APPLICANT

VERSUS

THE REPUBLIC -----RESPONDENT

RULING

MUTUNGI, J.

The applicant has before this court applied to have the court grant him leave to file a Notice of Appeal out of time and any other order (s) or relief this court may deem fit and just to grant. He has made the same under section 361 (2) of the Criminal Procedure Act, Cap. 20 R.E 2002. He has further explained the reasons in the corresponding Affidavit dully sworn by him. He avers that he had before filed his appeal in this court before Kitusi, J only to realize the same had been

filed following a Notice of Appeal which was out of time. The appeal was consequently struck out. That is why he is now before this court. Miss Imelda Mushi (State Attorney) has no objection in this regard.

Having considered the reasons in the Affidavit, I find the same is sufficient and it follows the application is accordingly granted as prayed. The applicant is given 21 days to file his notice from the delivery of this ruling.

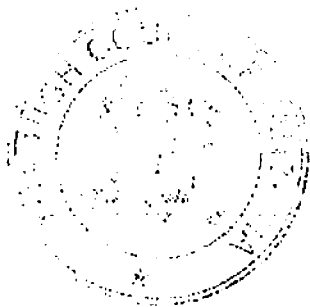



B. R. Mutungi

JUDGE

09/10/2019

Read this day of 09/10/2019 in presence of applicant and Imelda Mushi, State Attorney for the respondent.




B. R. Mutungi

JUDGE

09/10/2019