

**IN THE HIGH COURT OF TANZANIA  
(DAR ES SLAAM DISTRICT REGISTRY)  
AT DAR ES SALAAM  
CRIMINAL JURISDICTION  
CRIMINAL SESSION CASE NO. 586 OF 2019**

**REPUBLIC  
VERSUS  
GODLISTEN SAMWEL MREMA**

*Date of Last Order:*

*Date of Judgment: 06/02/2020*

**J U D G M E N T**

**MGONYA, J.**

It has come to my knowledge through the record of this case that the Accused and the Deceased were close friends as well stated by the Accused and his Advocate before this Honourable Court.

There is no doubt that the accused's death emanated from the injuries he got from the fight between him and the Accused herein. The facts of this case also reveals that, the fight was sparked from the circumstances where both friends were heavily drunk after the unlimited, consumption of illegal drink (as of now), famous known as **viroba**.

As the deceased is said to have died out of injuries he got particularly from that fight, I cannot hesitate stating that the deceased too contributed to his untimely death.

Otherwise, the accused too if at all had a similar injuries could have serious repacutions which could have also lead into his death. However, that was not the case to him and the untimely death met his friend, the deceased.

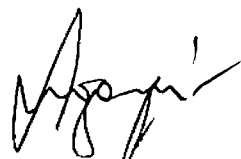
Under those circumstances, since the Accused person has pleaded GUILTY to the offence of Manslaughter by his own plea, I proceed to convict him for the offence of **Manslaughter contrary to section 95 of the Penal Code, Cap. 16 [R.E. 2002].**

Taking into consideration that the Accused had no intention to kill, and further since he has been too remose to his action which caused his friend's unexpected death, and taking into consideration of the time which he spent in remand prison; **I have decided to set him free.**

Consequently, I proceed to order the Accused's immediate release form remand prison unless he is held with any other cause.

It is so ordered.



  
**L. E. MGONYA**  
**JUDGE**  
**06/02/2020**

**Court:** Judgment delivered in the presence of Ms. Mkunde Mshanga, Senior State Attorney, Ms. Ndyetabura, for the Republic, Mr. Hussen Hitu, Advocate, and Ms. Veronica Bench Clarke in my chamber today 06<sup>th</sup> February, 2020.



  
**L. E. MGONYA**  
**JUDGE**  
**06/02/2020**