

**IN THE HIGH COURT OF TANZANIA
IN THE DISTRICT REGISTRY OF SHINYANGA
AT SHINYANGA**

MISC. CRIMINAL APPLICATION NO. 14 OF 2019

(Arising from criminal case No. 12 of 2016 of the High Court Shinyanga at Shinyanga)

JUMA NDODIAPPLICANT

VERSUS

THE REPUBLICRESPONDENT

RULING

05th October, 2020

MDEMU, J:

On the 23rd of October, 2018 this court, Kibella, J, in Criminal Session Case No. 12 of 2016 convicted the Applicant for the offence of Murder and sentenced him to suffer death by hanging.


The Applicant did not lodge notice of appeal to appeal to the Court of Appeal of Tanzania in time. Under the provisions of section 11(1) of the Appellate Jurisdiction Act, Cap. 141, he has come to this court to enlarge time to lodge notice of appeal.

At the hearing of this application today the 5th of October, 2020, the Applicant was absent. However, hearing of the application on the advice of the learned State Attorney, Mr. Mwenda, proceeded in absence of the Applicant as, by his letter dated 20th of April, 2020, indicated not to be present at the hearing of his application.

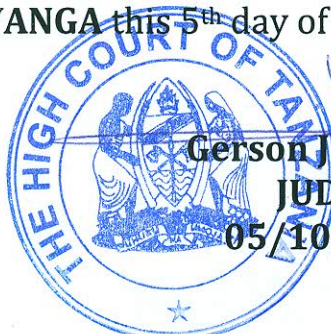
Mr. Mwenda who represented the Respondent Republic did not resist the application. Having that in mind, and after my perusal to the application and the affidavit in support thereof, I am of the view that, the Applicant has shown sufficient cause within which to have time to lodge notice of appeal enlarged.

In view thereof, the application is hereby allowed. Time to lodge notice of appeal to Court of Appeal is extended for thirty (30) days. As the Applicant is absent, the period of (30) thirty days, so extended, shall start to run from when the Applicant is served with this ruling.

It is so ordered.


Gerson J. Mdemu
JUDGE
05/10/2020

DATED at SHINYANGA this 5th day of October, 2020.


Gerson J. Mdemu
JUDGE
05/10/2020