

IN THE HIGH COURT OF TANZANIA
AT MWANZA
ORIGINAL JURISDICTION
(Mwanza Registry)
CRIMINAL SESSIONS CASE NO. 117 OF 2020
THE REPUBLIC
VERSUS
PAULO S/O BANDOMA ACCUSED

SENTENCE

Now that the accused has just been convicted on his own unequivocal plea of guilty to the charges of manslaughter Contrary to Section 195 of the Penal Code Cap 16 R.E. 2019, on assessing the penalty he deserved there is no way the court could avoid the following agreed facts; **(1)** that the two having quarrelled and now were done, the deceased, at a later stage he invaded the accused at home and revived the fight, like Mr. S. Kitale, advocate put it, the deceased authored his own death. **(2)** that the accused was the 1st offender who also readily had pleaded guilty to the charges. However, the fact would remain that unlawfully the accused caused the death. It is very unfortunate and this, the learned state attorney may know, the accused's cautioned statement (if any) it was not tendered as evidence. Having had gone through records of the committal court it is clear to me that the accused had remained behind the bars for about 1²/₁₂ years much as he

was arraigned in court on 14/08/2019. The accused therefore he is sentenced to one (1) year to jail. Ordered accordingly.



S. M. RUMANYIKA

JUDGE

10/02/2021