

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

MISC. CRIMINAL APPLICATION NO. 13 OF 2021

(Originating from Dodoma Economic Case No. 08/2021)

CHARLES MWAMBUTA.....1ST APPLICANT
RENATUS FORTUNATUS MAZIMBA.....2ND APPLICANT
MICHAEL DAUDI ZUBERI @ OMARY.....3RD APPLICANT
BENEGO MSEMAKWELI ANDREA.....4TH APPLICANT
HAMIS HALILI HEMED.....5TH APPLICANT
RICHARD JOSEPH SITUPU.....6TH APPLICANT

VERSUS

THE REPUBLIC.....RESPONDENT

RULING

Date: 9TH MARCH, 2021

BEFORE: HON. LATIFA MANSOOR, J.

The applicants herein were granted bail on terms in Misc. Criminal Application No. 8 of 2021. They were admitted to bail on 10/2/2021 on condition that each shall deposit cash amounting to Tshs. 48,747,000 and each to execute a bond to secure the remaining balance. This is as per the requirements of S.39(4) of

the Economic and Organised Crimes Control Act, Cap 200 R.E 2002. The applicants have made the present application under S. 149 OF The Criminal Procedure Act, Cap 20, R.E 2019, asking the court to vary this one condition of bail as they cannot meet this condition. The application is supported by the affidavit sworn by all the applicants. In paragraph 6 of the affidavit the applicants are deposing that they are able to deposit other forms of security in lieu of the said amount. Thus under the power given to this court by section 149 of the Criminal Procedure Act, Cap 20 R.E 2002, condition No. 1 of the Bail conditions/terms set on 10/2/2021 are hereby varied, and each applicant shall deposit in court a Title Deed whose value is equivalent to Tshs.48,747,000 or more, and each shall execute a bond to secure the remaining balance of the loss which means each shall execute a bond of Tshs. 48,747,000.

The application is hereby allowed.


L. MANSOOR

JUDGE

9th MARCH, 2021

