

IN THE HIGH COURT OF TANZANIA

(MWANZA REGISTRY)

AT MWANZA

CRIMINAL SESSIONS CASE NO. 91 OF 2019

THE REPUBLICPROSECUTOR

VERSUS

MASHAKA S/O NGODAGULA..... ACCUSED

SENTENCING

The accused Mashaka s/o Ngodagula stands charged and convicted with the offence of Manslaughter contrary to section 195 and 198 of the Penal Code, Cap. 16 R.E 2019 which attracts a maximum sentence of life imprisonment.

The prosecution invited me to impose severe sentence after considering the fact that the deceased as a human being had a right to life. The facts shows that the accused strangled her, he escaped after the incidence and worse enough he killed his wife because of the misunderstanding that arose from the sale of the local beer. The beating administered by the accused to his wife was severe compared to the mistakes committed by the deceased. It was not expected the accused to have reacted to that extent.

However if one considers mitigation that he is the first offender, he has been in custody for almost four years now, he has pleaded guilty to the offence which is a sign of repent, he was very cooperative to the investigation machineries and the court and his old age, all these entitle the accused a lenient sentence


Having considered both mitigating and aggravating factors in this case as explained above. I sentence the accused to custodial sentence in order



to be a lesson to other who had the behavior like that of the accused person.
All said and considered, I thus sentence the accused person to suffer jail imprisonment for two (2) years.

It is so ordered.

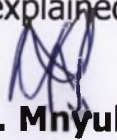



Sgd. M. Mnyukwa

Judge

04/10/2021

Right to appeal against sentence explained and guaranteed.


Sgd. M. Mnyukwa

Judge

04/10/2021