

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(DAR ES SALAAM DISTRICT REGISTRY)**

AT DAR ES SALAAM

MISC. ECONOMIC CAUSE NO. 235 OF 2021

*(Originating from Economic Crime Case No. 3 of 2021, in the District Court of
Ilala at Kinyerezi – Before: Hon. Kanje – SRM)*

CHARLES ONESMO MSAKI APPLICANT

VERSUS

THE REPUBLIC RESPONDENT

RULING:

Date of Ruling: 3rd November, 2021

MASABO, J.

Upon perusal of the affidavit filed in support of the application and the charge sheet against which the applicant stands charged, this court is satisfied that the application is properly before this court as the charges facing the applicant involves a pecuniary value of Tsh. 19,540,262/=, hence above the pecuniary bar of subordinate courts in criminal application.

Since the offence against which he is charged is bailable and the application has not been contested by the Respondent, I find no reason not to grant the prayer.

As for the conditions, section 36(5) of the Economic and Organised Crimes Control Act, Cap. 200 RE. 2019 sets mandatory bail conditions. Guided by this provision, I admit the applicant on bail subject to the following conditions:

1. The applicant shall deposit in court a total of Tshs. 9,700,000/= being half of the pecuniary value of the offence involved. In the alternative he shall deposit in court a title deed of an immovable property of a value not less than the amount above. He shall in addition execute a bond of a similar amount of Tsh. 9,700,000/=.
2. The applicant shall have 2 reliable sureties who shall each sign a bond of Tsh. 500,000/=.
3. The applicant shall continue to enter appearance in the trial court as per the schedule of the trial court.
4. The bail conditions shall be executed before the Magistrate Incharge of the District Court of Ilala at Kinyerezi.



A handwritten signature in blue ink, appearing to be "J.L. Masabo".

Hon. J.L. Masabo

JUDGE

3/11/2021