

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

**CRIMINAL APPLICATION NO. 135 OF 2021**

**KHAIROON INDERJEET JANDU ----- 1<sup>ST</sup> APPLICANT**  
**MOHAMED MAJALIWA ----- 2<sup>ND</sup> APPLICANT**  
**IBRAHIM S. SANGAWA ----- 3<sup>RD</sup> APPLICANT**  
**ZAINAB YUNUS ISMAIL THARIA ----- 4<sup>TH</sup> APPLICANT**

**VERSUS**

**THE REPUBLIC ----- RESPONDENT**

*Date of last order: 23/7/2021*

*Date of the Ruling: 23/7/2021*

**R U L I N G**

**MGONYA, J.**

Before me is an Application brought under the Certificate of Urgency by the Applicants namely; **KHAIROON INDERJEET JANDU, MOHAMED MAJALIWA, IBRAHIM S. SANGAWA** and **ZAINAB YUNUS ISMAIL THARIA**.

The Application has been made under **section 148 (3) and section 392A of the Criminal Procedure Act, Cap. 20 [R.E 2019]; Section 29 (4) (d) of the Economic and Organized Crime Control Act, Cap. 200 [R.E 2019]** attached with the Applicants' Joint Affidavit duly affirmed by

the Applicants' Advocate, learned Counsel **ABDULFATTAH ALBAKRY**.

The gist of the instant Application before the Court as well submitted by the Applicants' Counsel is for this Honourable Court to grant the Applicants bail pending hearing of the **Economic Crime Case No. 54 of 2020** hosted in the Resident Magistrate's Court at Kisutu in Dar es Salaam before Hon. Kassian, SRM.

Responding to the Application, **Ms. TULY HELELA** the learned State Attorney pronounced before the Court that the Respondent, the Republic herein is not objecting the Application. It is from that stand, Ms. Helela further submitted that the Republic have been satisfied that the bail to the Applicants be granted in accordance to the legal conditions set in the **Criminal Procedure Act (Supra)** and the **Economic and Organized Crime Control Act (Supra)** respectively.

After going through the Applicants' Affidavit and Charge Sheet attached thereto, together with both Counsel's respective submissions in relation to the instant Application, this Honourable Court is satisfied that the Applicants before the court are eligible for bail as prayed.

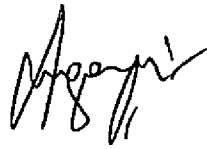
In the event therefore, **this Honourable Court proceeds to grant the prayer sought by releasing the Applicants on bail** upon fulfilment of the following legal

conditions as per the provisions of the **Criminal Procedure Act**, and the **Economic and Organized Crime Act**, respectively ad hereunder: -

- (i) The Applicants are to deposit into Court a cash sum of Tshs. 129,000,000/= (One Hundred Twenty Nine Million) or in Alternative, to deposit into a court Title Deed/(s) of immovable property (duly certified by the professional valuer) equivalent to the above mentioned sum;***
- (ii) The Applicants are to surrender her travelling document(s) i.e. passport of any to the nearest Police Station within the Jurisdiction where the charge arose;***
- (iii) The Applicants are hereby ordered each to have two reliable sureties; and***
- (iv) Further, the Applicants herein are restricted from travelling and visiting any place outside the Dar es Salaam Region without express written permission of the Court.***

Consequently, the Application in favour of the above mentioned Applicants is **granted to the extent, terms and conditions stipulated above.**

It is so ordered.

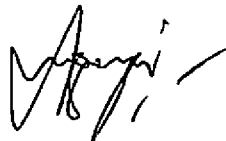


**L. E. MGONYA**

**JUDGE**

**23/07/2021**

**Court:** Ruling delivered in my chambers in the presence of Mr. Juma Nassor, Mr. Abubakar Salim, and Abdulfattah Albakry, Advocates for the Applicants, Ms. Tuly Helela, State Attorney for the Respondent and Ms. Veronica, RMA this 23/07/2021.



**L. E. MGONYA**

**JUDGE**

**23/07/2021**